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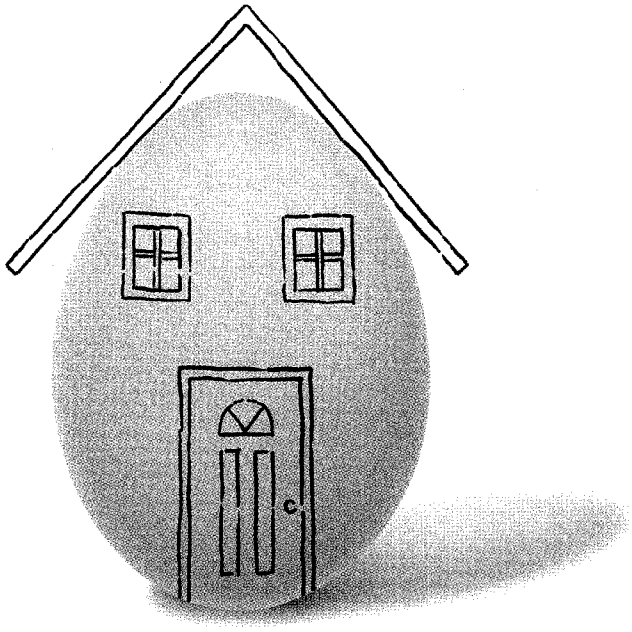

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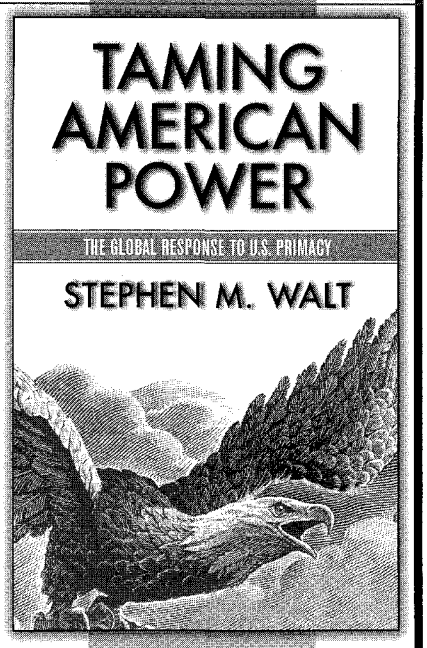
HOW FIRM IS AMERICA'S GRASP ON GLOBAL SUPREMACY?



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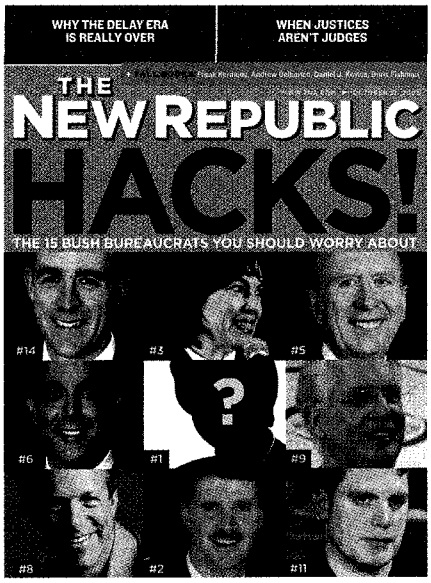
WHY THE DELAY ERA IS REALLY OVER
WHEN JUSTICES AREN'T JUDGES
THE NEW REPUBLIC
HACKS!
THE 15 BUSH BUREAUCRATS YOU SHOULD WORRY ABOUT

HACK HACK JOB

IT WAS UNFAIR TO INCLUDE ANDREW Maner, the Department of Homeland Security's chief financial officer (CFO), in your list of Bush administration hacks ("Welcome to the Hackocracy," October 17). I am a Democrat, and I served alongside Maner at Homeland Security—as part of Customs and Border Protection (CBP) Commissioner Robert Bonner's inner circle—when Bonner launched key anti-terrorism efforts, such as the Container Security Initiative and the Customs-Trade Partnership Against Terrorism. Your readers wouldn't know it, but Maner played a key role in the design and successful implementation of both those programs, as well as many other initiatives. Maner also served as the director of CBP's Transition Management Office. Short of Bonner himself, no other figure deserves more credit than Maner for the smooth integration of most of Customs and the former Immigration and Naturalization Service into the 42,000-strong CBP. Maner's work on the CBP merger and his business background is what recommended him for his position as the Department's CFO, not his experience as a "junior press aide," as you reported. Your article failed to mention many of these aspects of his admirable public service. Nor did it discuss his performance as CFO. You also failed to inform your readers that Maner is viewed as an extremely effective CFO, not only by Secretary Michael Chertoff and others within the Department, but also by Democrats and Republicans on Capitol Hill. Finally, you mischaracterize Maner's earlier record. Far from being a hack, he has an MBA from the Kellogg School of Management, was a principal of a major management consulting firm, and was an adviser to the U.N. mission in Somalia, among other things. You owe him an apology.

SETH M.M. STODDER
Former Director of Policy Planning
U.S. Customs and Border Protection
Los Angeles, California

LIP SERVICE

MICHAEL ERARD SUGGESTS THAT the United States create a language czar who can "put in place a national language strategy to take us through the next 50 years" ("Tongue Tied," October 24). As president of the Modern Language Association (MLA), which promotes the study and teaching of languages and literatures—with 30,000 members in 100 countries—I take issue with the notion that language is best viewed as a "commodity" to be handled by an office in Washington, D.C., rather than as an integral part of our nation's educational institutions and pursuits. The study and use of language are crucial to our country's strength and

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well-being in areas that range from the cultural and historical, to the economic and technical, to the military and scientific. The best way to nurture and promote language learning is not, as Erard suggests, by creating a centralized language bureaucracy, hampered by overregulation. Instead, we ought to channel more federal, state, and local resources to support and expand ongoing programs at schools and universities across the nation that provide thoughtful and comprehensive language study to a wide range of students. To this end, the MLA supports an educational language policy that encourages the study of foreign languages here at home at every academic level and engenders greater public awareness of the importance of understanding other cultures and languages to our profound and diverse national and international interests. Language study that both allows one to read Proust "in the original" and serves the needs of national security is surely a good thing. If we do both with excellence, our nation will be the richer for it.

DOMNA C. STANTON
President
The Modern Language Association of America
New York, New York

MICHAEL ERARD RESPONDS:

The problem with Domna C. Stanton's solution is that it's more of the same: If the schools and universities she touts are so successful, then why do we have a shortage of language workers? We *do* need a language czar: to solve immediate crises (such as the shortage of Chinese teachers described in my article) in ways that fit into a long-term strategy; to fight for language program budgets in peacetime; and to ensure that hospitals, schools, and courts—not just the National Security Agency and the FBI—are adequately staffed with language experts. We don't need a language czar who will merely make more language speakers; we need more language *workers*, which requires rethinking what we teach and why. I understand the logic that makes the MLA bridle at the word "commodity," but I used the term to point out that the cultural value of language is always linked to social prestige, human capital, economic competitiveness, and jobs—in other words, an economic value. That's where addressing America's language issues should begin.

continued on page 41

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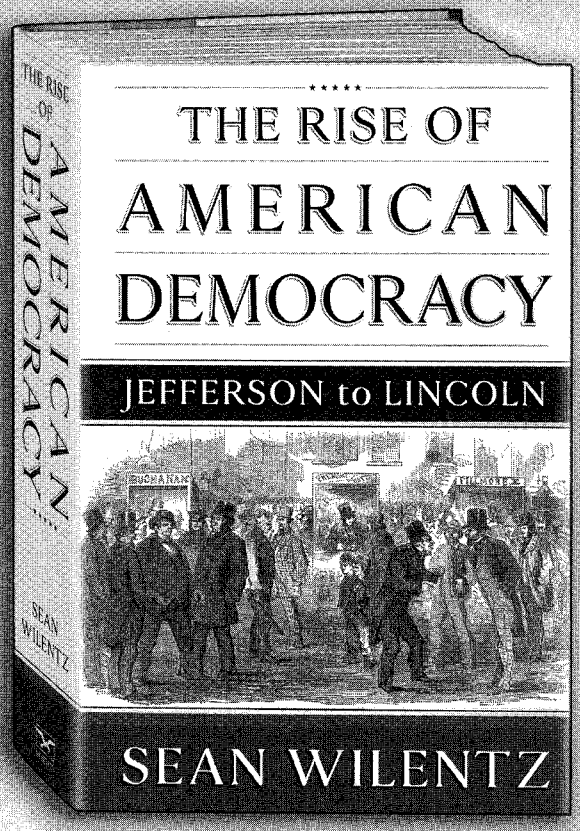

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Intelligence Design

TRB FROM WASHINGTON

THE TITLE OF THE BOOK *Leo Strauss, the Straussians, and the American Regime* hardly sings. But, like buried Civil War bullets or tarnished World War I medals, this fusty essay collection on the great political philosopher is a curio sought by war buffs. On Amazon.com, a used copy sells for as much as $200. Demand for the volume can likely be attributed to a single essay—"Leo Strauss and the World of Intelligence (By Which We Do Not Mean *Nous*)," by Gary Schmitt and Abram Shulsky.

Critics of the Iraq war like to harp on Strauss's disciples in government, especially Shulsky, who headed the Pentagon's controversial Office of Special Plans. It's a fascinating intellectual cabal, if you go for that kind of thing. But, even if you don't care to blame the war on the University of Chicago's political science department, where Strauss reigned, the essay still provides an important window into the neoconservative mind. Schmitt and Shulsky argue that the intelligence community relies excessively on social science. It assumes that humanity shares the same fundamental desires and motives—that evil dictators could be studied with the same economic and sociological models applied to, say, U.S. suburbs. According to Schmitt and Shulsky, not to mention the vast conservative consensus, this conventional approach to intelligence is dangerous in the extreme. It ignores the pathology of tyrants who lie, cheat, kill, and generally aren't like the rest of us—an insight the authors claim to glean from Strauss. When you study evil leaders, they intimate, you must always assume the worst.

The Schmitt-Shulsky essay helps explain why conservatives will never admit that the Bush administration exaggerated Saddam Hussein's threat. That's because the hyperbolic prewar intelligence wasn't just a marketing campaign amok. It was the product of an epistemology—a deeply ingrained method of analysis. To concede the administration's failure to properly gauge Saddam would force the reconsideration of an entire worldview.

Because conservatives have so much at stake in the retrospective analysis of WMD intelligence, they have reacted with irrational fury every time Democrats broach the subject. After Senator Harry Reid pushed for a Senate investigation into the administration's prewar case last week, David Brooks accused Reid of possessing a mind as fevered and paranoid as a John Bircher. "Harry Reid sits alone at his kitchen table at 4 a.m., writing important notes in crayon on the outside of envelopes," Brooks writes. Reid's outrage over Bush's case for the war, he argues, is particularly groundless because every important Democrat, at one time or another, declared their fear of Saddam's WMD arsenal. Even Al Gore once claimed that Saddam "has stored secret supplies of biological and chemical weapons." Therefore, Brooks concludes, only an Illuminati obsessive would denounce the administration's embrace of the bipartisan anti-Saddam consensus as grand deceit.

Of course, it's true that a broad swath of Democrats got it wrong, too. But they didn't get it wrong for the same reasons as the administration. When the Carnegie Endowment for International Peace published a definitive study of the administration's presentation of the WMD intelligence last year, it found that "officials systematically misrepresented the threat." While Democrats may have believed that Saddam posed a long-term threat, they didn't exaggerate evidence and stifle government experts to justify an imminent invasion. As Kenneth Pollack—one of the Democrats cited by Brooks—wrote last year in the *Atlantic*, "Only the Administration has access to all the information available to various agencies of the US government—and withholding or downplaying some of that information for its own purposes is a betrayal of that responsibility."

For conservatives like Brooks, who periodically pound Republicans for hypocrisy and distortions, there shouldn't be any intellectual barrier to bashing the administration for its WMD sales pitch. After all, one could still consider the invasion justified *and* feel disgust at the administration's irresponsible depictions of mushroom clouds sprouting over U.S. cities. But they won't take this position, because it would require acknowledging that the neocons' intellectual biases prevented the administration from fair-mindedly sorting through the evidence.

This bias didn't just flow from a desire to take out Saddam. It traces back to Albert Wohlstetter, the University of Chicago political scientist who mentored Paul Wolfowitz and Richard Perle. Wohlstetter charged that the CIA had systematically undercounted Soviet nukes. His allegation culminated in the 1976 appointment of Team B, a panel of outsiders the CIA invited to reexamine its Soviet intel. But, in the end, Team B exaggerated the Soviet threat as badly as the Bush administration botched Iraqi WMD. Its final report overheatedly warned of a Soviet preemptive attack and ignored the toll on the Red Army exacted by the creaking Communist economy.

The critique of the CIA, especially the ultra-rationalistic mindset of its analysts, has some empirical basis, such as the Agency's failure to foresee the Iranian Revolution. But the conservative critics go too far with it. One former colleague of Wolfowitz and other top administration officials once told me that "they so believed that the CIA were wrong, they were like, 'We want to show these fuckers that they are wrong.'" And, in the prewar period, the Bush administration created an alternative intelligence apparatus to obtain a more a clear-eyed assessment of Saddam. They established the Office of Special Plans, headed by Shulsky, which engaged in a Team B–like reinterpretation of the CIA's Iraq files. Perle described the justification for Shulsky's shop in a 2003 interview: "If you're walking down the street, [if] you're not looking for hidden treasure, you won't find it. If you're looking for it, you may find something. In this case, [the CIA] hadn't been looking."

But the nonexistent Iraqi WMD shows the perils of the Perle approach. If you're always looking for the worst case always assuming deception, then you're always going to find it—even though aluminum tubes are sometimes just aluminum tubes. Perhaps, once the partisan skirmishing dies down, the unassailable evidence of administration hyperbole will spark a reconsideration of these assumptions. In the meantime, who has time for second thoughts when devious Chinese tyrants are lurking?

FRANKLIN FOI

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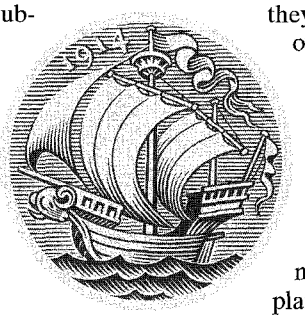
Tax Evasion

FOR THOSE STILL skeptical about the collapse of the Republican consensus, look no further than the nonevent that was last week's tax reform proposal, rolled out by a presidentially appointed panel and immediately set upon by the GOP establishment. The proposal's elements are "too small," wrote Tom DeLay in *The Washington Post*, "and at bottom they only simplify and slightly improve a broken system." Conservative columnist Robert Novak was even more blunt, declaring that "George W. Bush's chances of engaging the country with a dynamic second-term initiative were sabotaged" by the panel.

This cold reception is unfortunate, because the panel's proposals, though tilted toward taxing work and rewarding wealth, contain enough progressive elements to initiate a much-needed bipartisan debate on tax reform.

The heart of the plan—really two slightly different plans—is the elimination of the Alternative Minimum Tax (AMT), an additional levy once used to ensure that wealthy Americans couldn't use tax shelters and other schemes to escape paying their fair share. Those who earned over a certain threshold and took a certain number of large deductions got hit with the extra tax. But the AMT hasn't kept up with inflation; as a result, it is raising tax burdens for a growing number of middle-income families. (Economists estimate that, by 2010, 40 percent of filers with two children will have to pay the AMT.) Both parties agree that the AMT has got to go, so axing it is a good start.

But shutting down the AMT is expensive ($1.2 trillion over the next decade), so the panel recommends a series of steps to make up for the lost revenue. (The most reasonable way to pay for it, rescinding Bush's tax cuts, is unfortunately off the table politically.) The most significant, and most controversial, revenue enhancement is a cap on the mortgage deduction. The current deduction sounds good—helping Americans become homeowners—but, according to the panel, it fails to boost homeownership, and more than half its benefits go to the top 12 percent of taxpayers. That's in part because it's a deduction rather than a credit, meaning it doesn't help many low- and middle-income taxpayers, who take a standard deduction rather than itemize. The panel's solution is to convert the deduction to a credit and to cap it at the local average home cost, up to $412,000. This would end what is effectively a McMansion subsidy while extending help to more middle- and low-income homeowners. The plank has won praise from the likes of Robert Reich and the National Low Income Housing Coalition, and it is something Democrats should embrace.



But not all the panel's proposals are so progressive. Both plans eliminate the bottom tax bracket (10 percent), moving low-income workers into the 15 percent bracket. The plans would also do away with the top tax bracket (35 percent), moving those taxpayers into either the 33 or 30 percent bracket—and moving the entire system closer to a flat-tax structure. Another proposal would create individual savings accounts, in which wealthy Americans could sock away money for education, housing, or retirement—a boondoggle for the investing class. Yet another would zero-out the tax on dividends from domestic companies. Conservatives claim such planks would encourage saving, but they are useless for people who do not have the income or financial wherewithal to take advantage of them.

The panel never intended all its proposals to be accepted; rather, they were meant to encourage a bipartisan discussion of tax reform. Such an approach was missing in the Social Security "debate," which was, in reality, just a failed attempt by conservatives to push a bad idea onto a skeptical public. Democrats, understandably, refused to play along. This time, when the White House took the initiative to begin talking about sensible tax reform, it was the GOP that balked. Unwilling to accept anything less than revolutionary change—a flat tax, a national sales tax—the party leadership declared tax reform dead on arrival.

But this does not mean Democrats should drop it, too. Rather, they should roll out their own tax reform agenda, aimed at reversing the pernicious trend toward taxing the working class while providing more ways for the wealthy to save. They should embrace the panel's mortgage-deduction plank, defend the estate tax, and call for rollbacks of capital gains tax cuts and the repeal of Bush's first-term tax cuts. Then they could use those revenue gains to fund new tax credits for working families. By proposing sensible, progressive tax reform, Democrats could show that they are ready and able to lead, while the Republicans drift further and further into ideological fantasyland. ■

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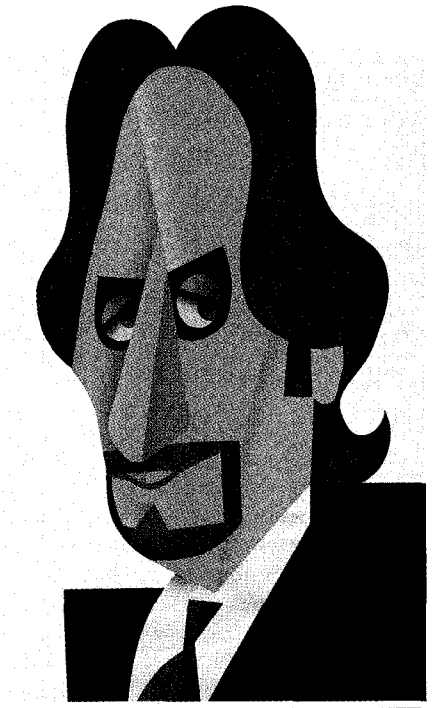
NOTEBOOK

A TV Star's New Occupation . . . Californians' Dental Vacation

HACK WATCH, CONT'D

THE LATEST EVIDENCE OF PATRONage trumping qualifications in the Bush administration is the president's nomination last month of actor Ron Silver to the board of directors of the United States Institute of Peace (USIP). According to its website, the mission of the USIP "is to support the development, transmission, and use of knowledge to promote peace and curb violent international conflict." Current board members include Holly Burkhalter of Physicians for Human Rights, former Assistant Secretary of State Chester Crocker, a senior fellow from the Hudson Institute, and a professor from George Mason University. What did Silver do to earn such a distinguished posting? Not long ago, the actor—once described in Leonard Maltin's *Movie Encyclopedia* as "a forceful and outspoken advocate of liberal causes"—dumped the Democrats and declared himself a "9/11 Republican." Impressed, the Republican Party awarded him a plum speaking slot at the 2004 GOP convention, at which he discussed his conversion and his fondness for Bush's foreign policy. Apparently, his loyalty was noted.

Now, Silver, who played pornographer Larry Goldman in the 2003 TV series "Skin"—but is perhaps best known as Bruno Gianelli, a Democratic operative who goes to work for a Republican presidential candidate on "The West Wing"—is expected to be an expert on international crises. By law, Silver's prestigious new job requires him to "have appropriate practical or academic experience in peace and conflict resolution." Among other things, Silver will now be involved with "Facilitating the resolution of international disputes" and "Training international affairs professionals." But don't worry: A White House flack recently told *CongressDaily* that Silver "definitely has the qualifications." She noted that he has long "had an interest in foreign policy and foreign relations,"



Ron Silver

holds a master's in Chinese studies, and is even a member of the Council on Foreign Relations. By this administration's standards, Silver could well be on his way to secretary of state.

BORDERLINE MEDICINE

IN CANCUN THESE DAYS, THE GIRLS are going wild for . . . elective surgery! *The Washington Post* reported on Sunday that health care providers in Southern California have begun to offer their enrollees significantly cheaper HMO plans—if they agree to get their checkups south of the border. These "cross-border" plans send Americans needing routine care—or, in some cases, hospitalization and surgery—to Mexico, where health costs are up to 50 percent lower than in the United States. Tens of thousands of Californians have already signed up. Proponents of the plans tout the cheap monthly premiums and, in the words of the *Post*, the "warmth of the Mexican medical culture." "I myself have used dentists in Mexico," a Calexico, California, councilman rhapsodized to the *Los Angeles Times*. (The condition of his crowns was not noted.) But, for those more interested in survival than cost-saving, it's worth mentioning the disclaimer on the website for Blue Shield of California, whose cross-border HMO is called Access Baja: "[G]enerally accepted practice standards of medical care in Mexico are different than those of California and elsewhere in the United States." Or, in the words of one of Blue Shield's vice presidents, the cleanliness and quality of care "isn't Cedars-Sinai."

The saddest part of this story, however, is the naked light it sheds on the sorry state of U.S. health care: Americans have to cross one border to get prescription drugs, and now another to be seen by a physician. What next—cruises to Cuba for surgery performed under the more affordable anesthetic of Havana rum?

SCIENTIFIC BREAKTHROUGH

THE KANSAS BOARD OF EDUCAtion approved a measure that rewrites the definition of science so that, according to the AP, "it is no longer limited to the search for natural explanations of phenomena." Governor Kathleen Sebelius worried that it would scare away high-tech employers. No word yet on projected growth in the state's lucrative necromancy, astrology, and alchemy industries.

AND YOU THOUGHT THERE WAS NO WAR PLANNING

'THAT NIGHT, THE BLAIRS WATCHED the film 'Meet the Parents' with the Bushes. Meyer wrote that Bush 'split his sides' laughing when he heard that the character played by actor Ben Stiller was named 'Gay Focker.' "—*The Post*, in a November 8 story discussing a new book by Christopher Meyer, former British ambassador to the United States. Meyer details meetings between Bush

DAVID COWLES

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and British Prime Minister Tony Blair in the run-up to the Iraq war.

WHEREIN WE BOAST

THERE IS LITERARY PRIDE IN OUR office these days, and not only because THE NEW REPUBLIC appeared in Patrick Fitzgerald's prose. We have even higher reasons. Two of the most significant books to have been published in the United States in many years are the work of our writers. And not just two books, two epics. Jed Perl's *New Art City*, just out from Knopf, is a genuinely magisterial account of art in New York in the postwar decades—and of the city itself, and of the character of mid-century metropolitan culture, and of the trajectory of modern art after modernism, and of the nature of creativity. Perl's beautiful and erudite and surprising book is nothing less than a new history of its subject. It is an education: aesthetic and historical revelations fall from its pages. This is art criticism in the grand (and rapidly disappearing) style. And Sean Wilentz's *The Rise of American Democracy*, just out from Norton, is similarly a monument in its field. With breathtaking narrative skill, Wilentz relates the birth of our democracy—not in the Founding, about which we may have heard enough for a while, but in the decades between the Founding and the Civil War, when the constitutional innovations of the United States were put into practice and concepts of liberty were challenged by messy realities to assume concrete and durable forms. The book is animated by a belief in the primacy, and the irreducibility, of politics: Wilentz has absorbed the new social histories of America, but he has not capitulated to them. Rarely has an ardent love of America and a critical study of America been so brilliantly combined. The reading of this book should be a civic duty. Critics like to praise such books as ambitious. We say more: that they have fulfilled their ambitions. Together, they refresh our sense of what is still possible in American intellectual life. ■

TNR commentary Excerpts from THE NEW REPUBLIC ONLINE

FERRER SINKS NEW YORK'S DEMOCRATS—AGAIN.

Double Jeopardy

By Fred Siegel

Don't weep for Fernando Ferrer. He was the author of his own crushing defeat. In 2001, smarting over his defeat by Mark Green in the runoff for the Democratic mayoral nomination, Ferrer joined Al Sharpton in submarining the Green campaign with allegations of racial slurs. In a matter of days, they morphed Green, the longtime liberal, into an accused racist. That left the comparatively underfunded Green fighting a losing two-front war against Ferrer and Sharpton on one side and Michael Bloomberg's billions on the other.

For the second time in four years, New York has elected a mediocre mayor—and, once again, Fernando Ferrer is to blame.

What was buried in the two-front assault on Green was the chance to reform New York's antediluvian Democratic Party. "There's a new way to run and govern," Green told primary voters, "that ideally will produce someone who's tough and smart, and can be persuasive in boardrooms and civic meetings, with beat cops and high school seniors."

A Green victory would have begun the modernization of New York's Democratic Party, which had lost its old clubhouse roots without finding a new rationale for its existence other than as an adjunct to the city's public sector unions. But Green went down to narrow defeat in 2001, and Ferrer went down in flames this year. The loss is the Democratic Party's—but also the city's. This year, the feckless Ferrer was such a flawed opponent that, once again, Bloomberg was subject to little or no critical evaluation. The press, unable to take Ferrer's retro campaign seriously, shied away from scrutinizing Bloomberg's first-term policies. And so, for the second time in four years, New York has elected a mediocre mayor. And, for the second time in four years, Fernando Ferrer is to blame.

* Fred Siegel is the author of *The Prince of the City: Giuliani, New York and the Genius of American Life.*

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LIBERALISM AND DARFUR.

Blind Spot

By Richard Just

Should liberals be foreign policy idealists? Suddenly, the question is everywhere. In his new book, *Power and the Idealists*, TNR Contributing Editor Paul Berman argues that today's interventionists are the true heirs of the radical spirit of 1960s liberalism. In *The Washington Post* last month, Richard Cohen urged Democrats not to abandon idealism, writing that "a cold refusal to recognize the role that morality can play" in foreign policy should not characterize U.S. foreign policy. And, in the latest issue of *The American Prospect*, Matthew Yglesias and Sam Rosenfeld argue for a modest liberal idealism—one that recognizes the Iraq war as a mistake but preserves a place for moral considerations in foreign affairs.

It is good to see liberal writers resisting the trend toward realism—a denial of America's moral responsibility in world affairs—by reaffirming the primacy of idealism in the Democratic worldview. But one topic has been curiously absent from this discussion: Darfur. A reexamination of liberal foreign policy cannot consist merely of a discussion about what U.S. foreign policy has done; it must also include a consideration of what has *to be* done—in Iraq, yes, but also elsewhere in the world. And anyone who calls himself a liberal ought to agree that something must be done about Darfur.

And anyone who calls himself a liberal ought to agree that something must be done about Darfur.

In fact, Darfur is a crystal-clear test of liberals' commitment to foreign policy idealism. Compared with Iraq, it is a relatively uncomplicated test. A genocide is taking place, hundreds of thousands have died or have been displaced, and there is reason to believe that the slaughter will not end until Western troops forcibly stop it—or until the genocide's targets are all dead.

RICHARD B. LEVINE/NEWSCOM; ANDREW HEAVENS/REUTERS

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The exurbs aren't all Republican.

Outliers

BY JOHN B. JUDIS

SAN RAMON, CALIFORNIA

If California Governor Arnold Schwarzenegger had support anywhere for his initiatives, it would have been in a place like this one. A town of 50,000 on the edge of suburban Contra Costa County, San Ramon is represented in Congress by Republican Richard Pombo and is home to the Chevron Corporation. But, as Schwarzenegger's black van approached the Hop Yard American Ale House, where he was scheduled to appear on the last day of the campaign, hundreds of demonstrators thronged the entrance shouting, "Hey Hey, Ho Ho, Schwarzenegger's got to go!" They easily drowned out the small clutch of supporters holding signs reading GO FOR IT ARNOLD.

Schwarzenegger entered through the back door of the restaurant and went from table to table promising to "make the broken system whole" and to achieve "reform" and "change." "I say to the people, 'Give change a chance,' " he declared to a group of diners, as if he were speaking to an audience of thousands. He was going through the motions—an aging actor in summer stock playing the final night of *State Fair*. But the stage that day in San Ramon, and in California the next day, belonged to the governor's boisterous opponents, as all four of the initiatives he had championed went down in defeat.

Of course, California has not been particularly hospitable to its governors. Schwarzenegger's Democratic predecessor, Gray Davis, was recalled after five years in office, and his Republican predecessor, Pete Wilson, was deeply unpopular during his second term (see "Failed State," September 5). But Schwarzenegger has hit bottom far more quickly than either Davis or Wilson. His fall was due not merely to the state's intractable fiscal problems, but also to gross political miscalculation. Schwarzenegger, elected as a nonpartisan centrist, moved rightward this year. And, when he encountered resistance to his Republican pro-business agenda, he tried to use conservative wedge issues to stir up support in places like San Ramon. This miscalculation about exurban voters, which was also committed in Virginia by Republican gubernatorial contender Jerry Kilgore, may have national implications for the GOP.

California is often pictured as the ultimate blue state, but that's not quite accurate. The fastest-growing group of California voters is independents. These voters, who now make up 19 percent of the electorate, can turn an election either way. They are generally centrists who support abortion rights and environmental protection. They want more money spent on education but are leery of big government programs or tax increases. They want corporations to come to the state, but don't want them to dominate the government.

Wilson and Davis initially ran as centrists and enjoyed great support among this constituency. So did Schwarzenegger, and, in his first year, he carefully cultivated an image as a nonpartisan friend of labor and business. But, after last November's election, Schwarzenegger careened sharply to the right as he reneged on a commitment made during Davis's administration to reduce nurse-patient ratios in hospitals. When the California Nurses Association fought back, Schwarzenegger boasted about "kicking their butts." Then, he broke a promise he made to the California Teachers Association to restore the funding levels that the union had agreed to reduce in 2004, which brought teachers into the fray. Finally, Schwarzenegger introduced a pension-reform plan for public workers, which, according to the state attorney general, would have denied death benefits to the widows of firefighters and police.

Faced with angry protesters, Schwarzenegger decided to take on all the groups at once. Tom Campbell, who took leave as state finance director to work on the initiative campaign, suggests that Schwarzenegger reacted emotionally to the political attacks from the nurses, teachers, and firefighters. "When one side goes for war," Campbell explains, "the other side either girds for war or tries to reach a compromise."

Schwarzenegger decided to go to war. He made labor unions the enemy and cast his lot with Sacramento's business lobbies. He championed their proposals for spending limits and attacked "union bosses." He even took aim at Mexican immigrants, comparing the Minutemen vigilantes to private security guards he had hired to watch his kids. And, when the Democrat-controlled legislature didn't comply with his wishes, he turned to initiatives.

Schwarzenegger's use of the initiative process this year was flawed. Says Tony Quinn, who worked for Republicans in the state assembly and now edits the *California Target Book*, an almanac of California politics: "When you are doing initiative politics, you lay out an idea, and you discuss it, and you have academics discuss it. Then you try the legislature. The initiative is the last resort. Schwarzenegger's people made it the first resort. The political operation took control of the policy, and they believe Arnold could sell anything."

In addition, the initiatives themselves were poorly drafted, mostly by political partisans. The main initiative, Proposition 76, which was written in incomprehensible business-speak by the California Chamber of Commerce and the California Business Roundtable, would have allowed the governor to cut funding for schools if the budget was in the red. Schwarzenegger's redistricting plan, Proposition 77, which was drafted by the same Republican activist who led Davis's recall, would have required an immediate fix before the next census. And Proposition 74, which made it more difficult for teachers to obtain tenure, seemed to presume

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that the ills of California's underfunded educational system were due entirely to teachers undeservedly gaining tenure.

Schwarzenegger's campaign for the initiatives moved him even further into the hands of business lobbies and the Republican right. To raise money for the campaign—which would prove to be the most costly in California history—Schwarzenegger mortgaged his legislative agenda to big contributors. For instance, Schwarzenegger got a check for $250,000 from Christy Walton, the widow of Wal-Mart heir John Walton, on the same day he vetoed a bill that would have had the state publicize names of companies whose employees have to rely on California's Medicaid program. To please business, Schwarzenegger endorsed Proposition 75, which required public employee unions to get the written permission of their members to contribute to political campaigns. This anti-union proposition was drawn up by former John Birch Society member Lewis Uhler.

AS THE CAMPAIGN continued to flounder, Schwarzenegger attempted to duplicate George W. Bush's political strategy in 2004. He focused almost entirely on rural and exurban voters, only permitted supporters into his rallies and "town hall" meetings, and used wedge issues to woo social conservatives. Schwarzenegger, who had brandished his support for abortion rights two years before, endorsed Proposition 73, which required minors to notify their parents before seeking an abortion. The California Republican Party hired Gary Marx, who had mobilized evangelicals for Bush, to get these voters to support Schwarzenegger's initiatives as well as the religious right–sponsored Proposition 73.

But, in the exurbs, opposition to abortion and union bosses didn't translate into support for Proposition 76, Schwarzenegger's anti-spending initiative. In traditionally Republican Riverside and Fresno counties, the anti-abortion initiative won by about 20 percent, but Proposition 76, seen as a threat to the state's schools, lost by about 10 percent. Interestingly, the same pattern appeared in the Virginia gubernatorial election. Republicans had previously put great stock in fast-growing exurban areas like Loudon County in Northern Virginia. But Loudon County, which went for Bush in 2004, backed Democrat Tim Kaine over Kilgore by 5 percent, suggesting that voters are more interested in Kaine's proposals for education and transportation than in Kilgore's defense of the death penalty or promises to deport illegal immigrants.

In 2004, Republicans were able to win on an agenda of conservative social issues paired with Bush's reputation as a field marshal in the war on terrorism. But, these days, Bush looks like less of a leader, and the results in California and Virginia suggest the limits of a Republican political strategy that focuses on right-wing issues like abortion and immigration rather than on universal ones like education and health care. If Schwarzenegger (not to mention the rest of his party) fails to realize that governing from the right is no longer an option, it'll be "hasta la vista" come next November. ■

Mar del Plata Dispatch

Trade Show

BY DAN ROSENHECK

RARELY HAS SO little been expected of a group so powerful, but the 34 dignitaries that got together last weekend for the fourth Summit of the Americas managed to disappoint even the most skeptical observers. Held in this tacky Argentine seaside city, the summit convened the leaders of every country in the Western Hemisphere, save Cuba, to address job creation in the Americas. The proceedings were supposed to yield a consensus declaration of governing principles and a plan of action. But what they really yielded was fresh evidence of the tragicomedy that American politics has become, on both sides of the North-South divide.

The sticking point in the talks was the hypothetical Free Trade Area of the Americas (FTAA), which would eliminate trade barriers in the hemisphere. The Bush administration insisted on ramming a timetable to restart negotiations on the accord, which have been stalled for years, into the summit's final joint declaration. This set the stage for a showdown with Venezuela's bombastic Hugo Chávez, a sworn enemy of President Bush, who announced he had "brought a shovel" to "bury" the plan. "*ALCA, ALCA, al carajo*!" Chávez bellowed to some 25,000 demonstrators who had gathered to hear him speak at a nearby stadium—"FTAA, FTAA, go to shit!" Rivaling the uninvited Fidel Castro in long-windedness, the Venezuelan president spoke for two and a half hours while the venue emptied by half, due either to heavy drizzle or rhetoric fatigue.

Although the summit was widely perceived as a standoff between Chávez and the man he calls "Mr. Danger"—Bush—Venezuela was not alone in the anti-FTAA camp. Argentina and Brazil, South America's largest economies and biggest agricultural exporters, also refused to endorse hemispheric free-trade discussions until the U.S. makes satisfactory cuts in its farm subsidies. They, in turn, were supported by Uruguay and Paraguay, the two other countries in the Mercosur trade bloc. With five nations in nonnegotiable opposition to the FTAA and the United States unwilling to take it off the table, the joint declaration was dead in the water.

All but a handful of presidential limousines departed Saturday afternoon without agreement on the declaration; finally, the remaining negotiators feebly attempted to salvage the summit by including both sides' positions on the FTAA in the document, thereby acknowledging their dis-

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agreement. This lame escape hatch proved little consolation for the conference's Argentine hosts, who hoped a deal would bolster their international reputation, which was severely tarred after the country's $100 billion debt default in 2001. The host country's logistical efforts were scarcely better: One press conference was delayed for nearly two hours with no explanation before being canceled, while a question-and-answer session with Argentina's interior minister turned out to be a no-questions-asked photo op. And the security precautions proved farcical: Despite the machine gun–armed battalions manning checkpoints on many streets in the city center, violent demonstrators spent an hour burning a downtown bank before the police intervened.

WHILE THE PROTESTERS ran amok, Argentina's president, Néstor Kirchner, was making a mess of his own at the summit's inauguration ceremony. Kirchner never seems comfortable unless he has picked a fight, and he wasted little time on the official agenda of job creation before proceeding to bash one of his favorite targets, the International Monetary Fund, and its neoliberal economic prescriptions. In a face-to-face meeting with Bush that morning, Kirchner had failed to extract a firm promise to support Argentina's request to refinance its debt with the Fund; so, as usual, Kirchner took it to the peanut gallery. "Those international organizations who, by imposing [orthodox economic policies], contributed, encouraged, and favored the growth of that debt must also assume their share of the responsibility," he intoned, to ample applause from the left-wing delegates in attendance.

His remarks hardly qualified him as an honest broker who could wring an agreement out of the Bush and Chávez factions. His last-minute cancelation of a meeting with Mexican President Vicente Fox, a strong FTAA proponent, didn't help, either. Perhaps the most harmonious moment during the inauguration ceremony was an outbreak of onstage hugging during the curious interpretive dance that followed Kirchner's speech. Even that show seemed to reflect the underlying climate of conflict, since the performers had previously torn an immense wooden cake to shreds.

Yet, if Kirchner went too far in disturbing decorum, he didn't go nearly far enough to placate the protesters, many of whom considered him a co-conspirator for meeting with Bush at all. Argentina's left has already been disappointed by his conservative domestic fiscal policy. As the skies cleared in the afternoon and the demonstrators sprung to life with anti-Yanqui songs, Kirchner was not exempt from criticism. "It's double-talk," said Federico Lizarazo, a 23-year-old history student demonstrating near Chávez's speech. "He brings Bush here and then talks about equality."

The widely recognized disagreements did provide for some moments of levity. In a joint press conference after meeting with Kirchner, Bush thanked him for hosting the event and acknowledged that it's "not particularly easy to host, perhaps, me"—probably a reference to the thousands of protesters who had demonstrated enough mastery of English to sport FUCK OFF BUSH T-shirts. The following morning, Fox held a news conference of his own, in which a journalist asked him how he could reconcile his stated desire for closer links to Mercosur with his support for the FTAA. "My love is broad and total for the two of them," he responded. "But if there is no 'yes' to my marriage proposal, I'll continue making love to them both."

THE SUMMIT DID not prove disastrous for the White House, as its FTAA proposal was backed by 28 of the other 33 countries present, and Fox even suggested that those nations proceed with the talks without the opposing Mercosur countries and Venezuela. But the trade accord's emergence as the region's principal political cleavage could drive the anti-FTAA cabal toward even closer links with the true U.S. economic rival, China. Last year, Chinese President Hu Jintao visited Brazil, and Argentina while on a South American tour and promised massive capital investments in exchange for preferential trade considerations, a move widely seen as an effort to secure access to the continent's natural resources. Chávez himself visited China in December and offered similar rhetoric. If the air between the United States and the Mercosur-Venezuela faction cannot be cleared after their standoff in Mar del Plata, Washington runs the risk of driving those countries even further into Beijing's arms.

Moreover, by blocking consensus on the FTAA and implanting his rival "Bolivarian Alternative for the Americas" (as he calls his movement) in international media coverage, Chávez seems to have emerged stronger. He has diligently courted his neighbors by spending petrodollars on their debts and industrial contracts, and he is likely to gain even more momentum if Evo Morales, a representative of Bolivia's coca growers, wins the presidential elections scheduled there next month. That would link two of South America's energy titans (Venezuela boasts the continent's largest oil and gas reserves, and Bolivia is second in gas) in an alliance publicly opposed to private capital and to the United States.

Meanwhile, the temperature between Bush and Chávez is only getting hotter. William M. Arkin's *Washington Post* blog reported the week before the summit that the Pentagon lists Venezuela as an emerging "rogue" state and a "threat" in internal documents. After leaving Argentina, Bush warned of resurgent Latin American ideologies "playing to fear" and "blaming others for their own failures to provide for their people." Belligerent U.S. behavior only strengthens Chávez's claims that the United States is hostile to Latin America.

About the only thing participating countries did agree on was the selection of Trinidad and Tobago to host the next Summit of the Americas. But it would take a major transformation in hemispheric politics to give that summit a decent chance of being any less futile than this one. ■

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Paris Dispatch

How French

BY PASCAL BRUCKNER

FRANCE, THEY SAY, only reforms under the cover of revolution. Here, rebellion precedes dialogue, strikes precede negotiations, and recourse to violence is systematic. This is a country where authority has always assumed the face of the Jacobin state—of a paternal figure who reacts only to threat or attack. In this way, the young rioters in the French suburbs are far more French than many commentators presume. The troubled suburbs are not foreign lands within the Republic, but rather are increasingly a mirror of all French passions, the best as well as the worst—a reserve of talent and energy, but also a melting pot of racism, homophobia, machismo, and anti-Semitism. That is the enigma: These towns behave as if they are under siege by France, which herself behaves like she is under siege by the world.

The juvenile rioters—some are barely twelve or thirteen—are French-born; they want to make something of themselves but feel trapped on the wrong side of an invisible window as they watch their compatriots succeed, work, and travel. They don't burn cars out of hatred of capitalist society, as the children of the bourgeoisie did in May 1968. Rather, they do it because they want into that society—they want one of those BMWs or Mercedeses they see around the city, and they cannot afford one. The very vehicles they burn symbolize social mobility, and their lack of it.

Unhappy, unemployed, wanting everything right away like the rest of us in this society of individualists, these teenage rioters have nothing to lose but their lives, nothing to cling to, no great cause to support. Yet, as disenfranchised as these young people are, they are first and foremost children of television and supermarkets—they understand perfectly the mechanisms of the media. So they seek to recreate the disorder and vandalism of Baghdad or Gaza (so familiar to them from television) in their own streets, to rival other neighborhoods in destruction. They find validation in the images of their exploits broadcast on television and shared on their cell phones. Their rebellion is a form of negative integration, an initiation ritual where fighting with the French riot police takes the place of adolescent revolt rendered impossible because the father is absent or nonexistent and the mother is overwhelmed. It is their rite of passage into French society.

THESE YOUNG SUBURBAN rioters know that others at the margins of French society have had their own chance at revolt—and they have learned from the response to those provocations. In September, the employees of the Société Nationale Corse-Mediterranée, a French ferry company, opposed a plan by the state to privatize their previously public company. Work came to a halt during the seemingly interminable strike. The employees finally made a more extreme gesture, hijacking a boat to protest the privatization and necessitating an intervention by French commandos in helicopters. The most astonishing part of this whole affair was that the pirates seemed not to be worried about the legal consequences of their actions, and the government—fearful that violence would escalate in Corsica and reinvigorate the nationalist movement there—gave into some of the mutineers' demands. The moral was clear: For certain social groups capable of paralyzing a port or a city, impunity is guaranteed, no matter the gravity of the offense. It is a lesson that has not been forgotten two months later.

And, yet, infatuation with violence as a form of social protest can get out of hand. It approaches the suicidal when these aggressors systematically demolish gyms, pools, schools, and nurseries, destroying more and more of their own communities. It becomes abject when excited rioters douse a bus with gasoline and burn a handicapped woman passenger, harass drivers and train conductors, fatally beat a retiree, shoot real bullets at the police, and show no remorse or respect for the law, all the while cloaking themselves in the beatific look that only the most barbarous possess. For the most furious among them, killing is just a game—death inflicted or suffered by chance. Have no doubt about it: If a significant fascist party existed in France, it is among these young Arab and North African children of immigrants—the so-called *black-blanc-beurs*—that it would recruit for its storm troopers.

Confronted with such brutality, too many members of the press and the intelligentsia have chosen to play an ambiguous role. They engage in reflexive "Third Worldism," justify the riots as a reaction against French colonialism, and display a pernicious fascination with the violence of the lumpenproletariat and contempt for an open society. It is ironic, because the principal victims of the rioters are the little people, workers of all origins who live in the same apartment buildings and have watched as their cars and other belongings go up in smoke. Where is the indignation of the majority of the French against these insurgents who terrorize the weakest members of our society? Why have groups of citizens not banded together to peacefully protect public and private property? In contrast, the measured response of the police has been admirable—a fact too rarely acknowledged. One senses that the beginning of the state of emergency here this week marked an uneasy reminder of the beginnings of the war in Algeria—there was again the disarray of a government faced with an insurrection and a society that had never resolved its deeper ambivalence about the use of force.

Pascal Bruckner is a writer based in Paris. This article was translated from the French by Keelin McDonell.

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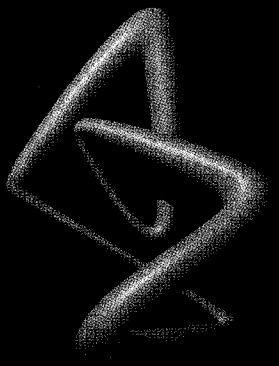
What Does This Stand For?



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THE CURRENT RIOTS have many causes. One is, of course, the death of the two teenagers from Clichy-sous-Bois, who, thinking that they were being pursued by the police, hid in a power substation and were electrocuted. But, before that, there were 15 years during which the suburbs simmered under the neglect of public officials who contented themselves with conciliatory words, throwing themselves into "urban politics," which they then forgot about until the next explosion. This feeling of abandonment, confirmed by workplace discrimination and harassment by police, was reinforced several years ago when the government of then–Prime Minister Jean-Pierre Raffarin brutally decided to cut funding for certain municipal programs and civic associations—funding that was essential to maintain the fragile unity of those populations. (Prime Minister Dominique de Villepin promised to reinstate it this week.) The alienation was even highlighted by French President Jacques Chirac's three-minute speech on the riots on November 6, when he seemed at a loss for words, reciting mechanical phrases and looking completely disinterested in a subject that could not be more important.

The outburst in Clichy-sous-Bois, once it began, would not have reverberated so loudly if it did not also correspond to a profound division at the top of the government, where de Villepin and Interior Minister Nicolas Sarkozy have been locked for months in a merciless battle over the 2007 presidential elections. No doubt, the prime minister and the president put too much pressure on Sarkozy to stop the riots. This may explain Sarkozy's cowboy rhetoric—but his verbal provocations put him on the same level as those disaffected young people whom he has stigmatized, labeling them "scum" and promising to turn the "Kärcher," a type of power washer, on them.

Now, even if order is swiftly restored, the needed remedies will take years to implement. Today, our country needs a new social contract that takes diversity into account. How will we provide a future for these uneducated young people, discredited by recent events, when France already has a 10 percent unemployment rate? How will we transform their mode of integration into French society from negative to positive?

We hesitate between three predictions. One, pessimistic, sees this anarchy as the final proof of France's decline after ten calamitous years under Chirac; the second, more optimistic, highlights the benefits of this shock, which will finally force us to open our eyes to the deep wounds in French society. The third interpretation is paradoxical: Sarkozy, with his own bellicosity, has lured those armed bandits—the truly criminal, as opposed to the mere teenage rebels—out of the shadows and engaged them in a war with the state. So could this anarchy mark the beginning of the liberation of the suburbs, which may soon be rid of the influence of thieves and drug dealers? Perhaps. But one suspects that, for those street fighters, those throwers of rocks and Molotov cocktails, there may not be a future after this party is over. They will remain a fractured, lost generation that will inevitably oscillate between prison, gangs, or Islamism. ■

Decoding Samuel Alito Jr.
Answer Key

BY JEFFREY ROSEN

FOR THOSE WHO believe in bipartisan judicial restraint, Samuel Alito Jr. poses a dilemma. On the one hand, his vote to strike down a federal ban on machine gun possession in 1996 suggests that he might be a conservative activist who is determined to resurrect limits on congressional authority that have been dormant since the New Deal. On the other hand, many of his other opinions support the judgment of those who know him: that he is a fair-minded conservative incrementalist, closer to Chief Justice John Roberts than to a radical conservative like Justice Clarence Thomas.

How can those (like me) who remain unsure about how restrained a Justice Alito would be make up our minds? The question shouldn't be whether he would cast himself as a swing vote in the style of Sandra Day O'Connor, the justice he would replace, since the last thing the country needs is another O'Connor to short-circuit all of our most contested political debates. By splitting every difference, she aggrandized her own power at the expense of Congress and the states. Instead, the relevant question is whether Alito generally believes in judicial deference to Congress, the states, and previous Supreme Court precedents, or whether he has an agenda to turn back the constitutional clock to the pre–New Deal era. That is a question that his hearings can answer; and the very different confirmation performances of Thomas and Roberts provide clues for the Senate about how to distinguish reassuring testimonies from troubling ones.

THE CASE THAT suggests Alito might be a conservative activist (see "How to Judge," November 29, 2004) was his dissent nearly a decade ago from his colleagues' decision to uphold the constitutionality of a federal law prohibiting the possession or transfer of machine guns. Six federal circuit courts had upheld the ban on machine gun possession. Showing an unsettling lack of deference to Congress, the president, and the judgment of other appeals courts, Alito dissented on the grounds that Congress and the president had not produced empirical evidence that there was a substantial connection between gun possession and interstate commerce. Last June, by a six-to-three vote, the Supreme Court implicitly rejected Alito's reasoning. In upholding Congress's power to regulate the local possession of marijuana, the Court emphasized that it had never required Congress to make specific empirical findings in order to legislate and that Congress's power to regulate purely local activities should be upheld as long as a

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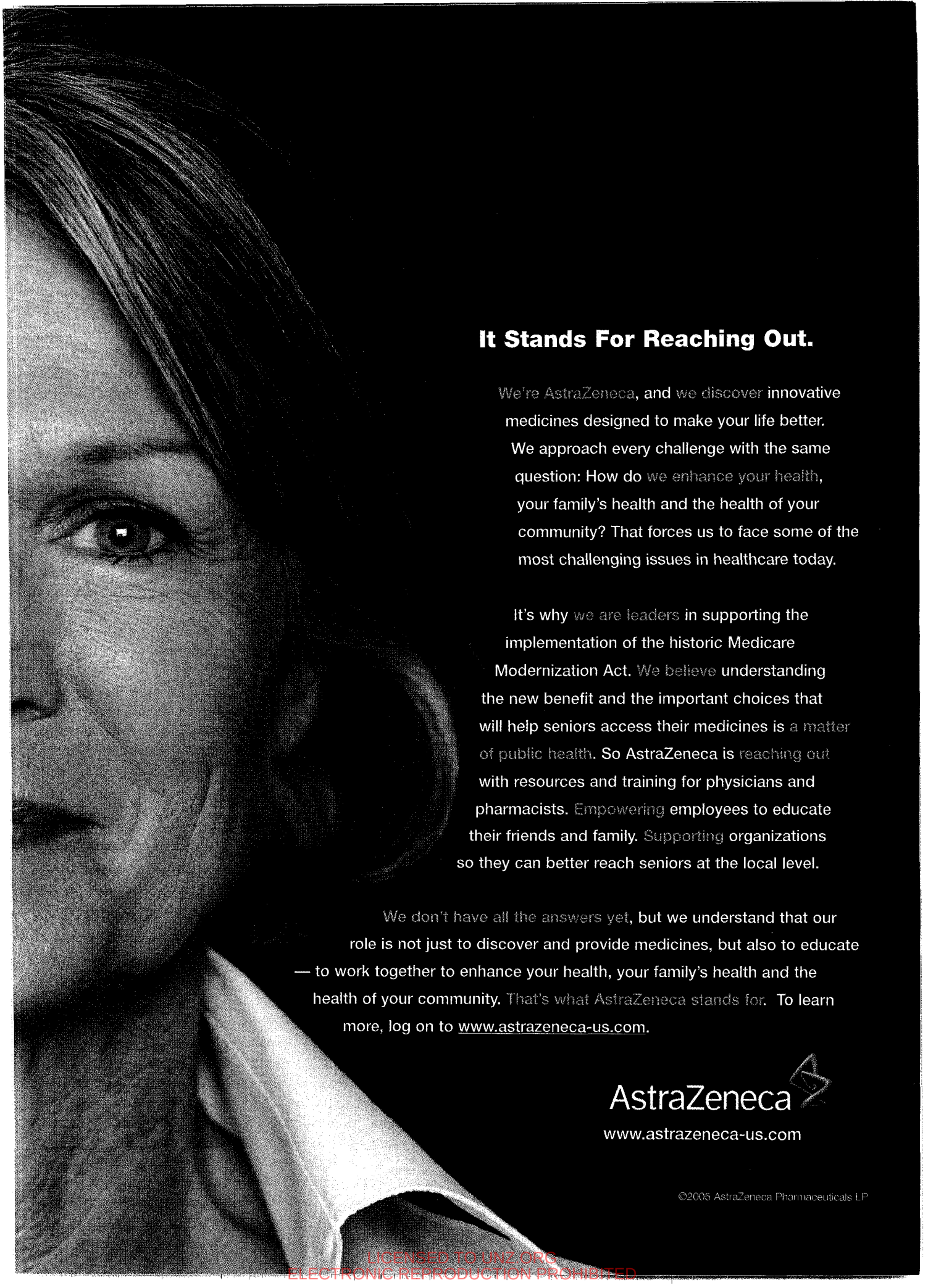

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rational person might believe that they affected interstate commerce. Only O'Connor, Thomas, and then–Chief Justice William H. Rehnquist dissented, suggesting that Alito might be among the most high-octane enthusiasts for federalism on the Court.

Almost as troubling for those who oppose conservative judicial activism was Alito's 2000 opinion holding that Congress had no power to authorize suits against state employers who violate the sick leave provisions of the Family and Medical Leave Act. Repeating his habit of flyspecking Congress's legislative authority, Alito's majority opinion objected that Congress had the power only to ban intentional sex discrimination and that it had failed to make specific findings that employers who violated sick leave policies might contribute to discrimination against women. Three years later, in another six-to-three decision, the Supreme Court said that Congress did have the power to authorize these suits, on the grounds that Congress had considered "significant evidence of a long and extensive history of sex discrimination with respect to the administration of leave benefits by the States." Although the Court didn't explicitly reject Alito's analysis, his two leading opinions on federalism suggest an unsettling lack of deference to Congress.

So the case for Alito as a conservative activist focuses on his cramped view of congressional power. By contrast, his abortion opinions—which have been hyperbolically attacked by liberal interest groups—are impressively nuanced and restrained. In his most controversial opinion, Alito dissented from his colleagues' decision in 1991 to uphold a Pennsylvania law that required women to notify their husbands before seeking an abortion. The following year, reaffirming *Roe* v. *Wade* in *Planned Parenthood* v. *Casey*, the Supreme Court, by a five-to-four vote, repudiated Alito's analysis. A section of the opinion written by O'Connor rejected Alito's conclusion that the spousal notification law would affect very few women, emphasizing that the small group most likely to be affected was also the one with the best reasons to be afraid of notifying husbands. But Alito, who tried in good faith to apply O'Connor's confusing "undue burden" test, shouldn't be blamed for failing to predict O'Connor's vote; and, in the end, he erred on the side of deferring to the state legislature, which is the most neutral definition of judicial restraint.

Three of Alito's other encounters with abortion disputes are similarly scrupulous. He voted without fuss to apply the Supreme Court's 2000 decision striking down bans on partial-birth abortion. In a wrongful death case in 1997, he emphasized that a fetus is not a "person" entitled to constitutional protection under the Fourteenth Amendment—a pivotal opinion that could have broad implications for future battles over assisted reproductive technologies. Some conservative scholars assert unconvincingly that the Framers of the Fourteenth Amendment meant to protect fetuses; by rejecting that historically implausible claim, Alito signaled his willingness to allow future battles over reproductive technology to be decided in legislatures, where they belong. Finally, ten years ago, Alito cast a decisive vote in a two-to-one opinion, holding that the federal government's limits on the use of public funds for abortions prevented Pennsylvania from adopting even more severe abortion restrictions.

Liberals also worry about Alito's apparent lack of concern for unchecked police and executive authority, especially since O'Connor was more willing to second-guess the president and the police. But, if Alito's deference to the police is part of a general tendency to defer to politically accountable officials, it may suggest that his federalism decisions are an anomaly. As Adam Liptak and Jonathan D. Glater of *The New York Times* noted in a review of Alito's 67 dissenting opinions, "He generally deferred to what he called the good faith judgments of other participants in the justice system, including police officers, prosecutors, prison wardens, trial judges and juries." Nevertheless, privacy advocates haven't given up hope on Alito who, as a Princeton senior in 1971, helped to write an expansive report on the boundaries of privacy in American society that called for congressional regulation of computer surveillance and other high-tech searches as well as the repeal of anti-sodomy laws. Only the Senate can determine whether Alito's youthful concerns about privacy might be resurrected on the high court.

The most reassuring evidence that Alito might be a conservative incrementalist comes from those who have worked with him in the past. "Sam is cautious, he is deliberative, he had a judicial temperament even when he wasn't a judge," says Joshua Schwartz, a colleague of mine at George Washington University Law School who worked with Alito in the Solicitor General's Office during the Reagan era. "He was an enormous believer in hearing both sides in every case; he was patient and careful—and reasonably content to decide cases one by one, applying existing precedents rather than writing sweeping critiques of the Supreme Court's jurisprudence." And Schwartz recalls that, when Alito was tapped to supervise cases involving the Reagan administration's efforts to overturn affirmative action, he resisted some of the more extreme arguments advanced by Assistant Attorney General William Bradford Reynolds.

HERE, THEN, IS the dilemma posed by Judge Alito: His federalism opinions suggest that he might be a conservative activist like Thomas with an agenda to restrict congressional power; many of his other opinions suggest that he might be a cautious incrementalist, as Roberts is likely to be, nudging the law in a more conservative direction rather than rewriting it from the ground up. Given the conflicting evidence, how can senators decide what kind of justice Alito would be? The questions to ask Alito are obvious enough. They're many of the same ones that have been asked in Supreme Court confirmation hearings for nearly two decades, and they involve the nominee's attitudes toward congressional

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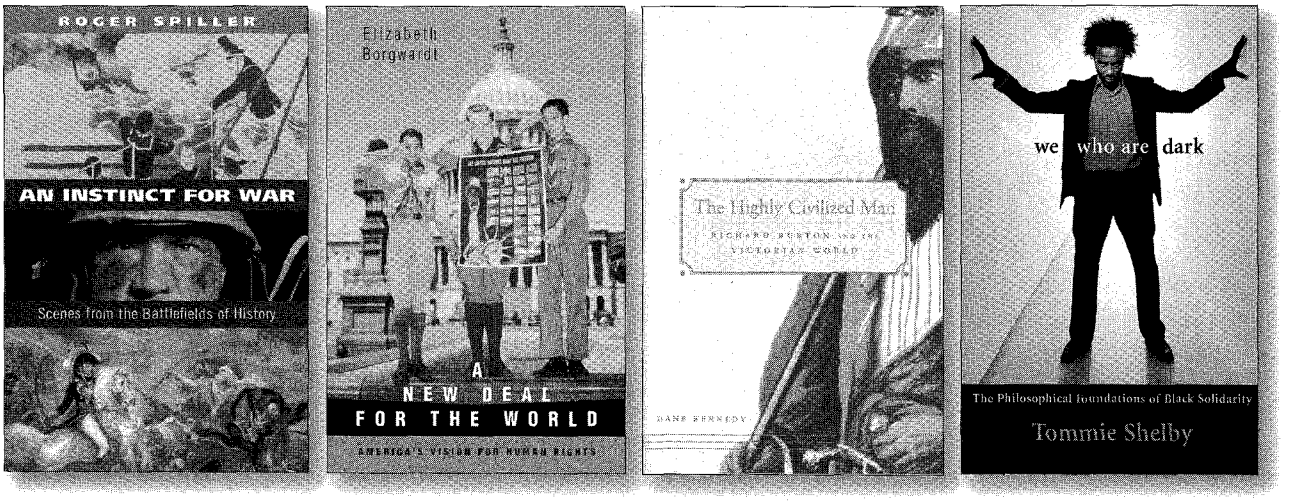

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power, previous judicial precedents, and the original understanding of the Constitution.

The contrast in the answers given by Thomas and Roberts suggest clues for senators to look for as they try to decode Alito's responses. If Alito is evasive, as Thomas was, about a) how often the Court should strike down federal laws; b) how much weight it should give precedents that have been repeatedly reaffirmed; or c) how rigidly it should follow the original understanding of the Constitution, run for the hills. If he answers those questions precisely and candidly, as Roberts did, breathe a sigh of relief.

Thomas's testimony, in particular, reminds us that it's easy for nominees to mislead the Senate in confirmation hearings. But, by pressing nominees to give specific and detailed answers—as Roberts did—the Senate is more likely to get an accurate sense of how those nominees would perform on the Court. (We haven't yet seen many opinions from Roberts, of course, but the precision of his answers makes a surprise less likely.) First, consider federalism. Both Thomas and Roberts were asked whether they thought the Commerce Clause imposed limits on congressional power. Thomas answered in platitudes, telling Senator Arlen Specter, "I don't know whether we know what the limits are." After assuring Specter that "I don't question the current development of the Commerce Clause," Thomas wrote a judicial opinion only four years later declaring that the entire development of the Commerce Clause since the 1930s was legally misguided and should be reversed. Roberts, on the other hand, was much more specific in making clear that he thought the Court should strike down acts of Congress only on rare occasions. He quoted Justice Oliver Wendell Holmes's observation that striking down federal laws is the "gravest and most delicate duty that the Court performs." And he stressed that "the reason is obvious: All judges are acutely aware of the fact that millions and millions of people have voted for you, and not one has voted for any of us." It's not clear whether Alito shares Roberts's concerns about judicial modesty when reviewing acts of Congress; the specific reasons he gives when talking about the importance of judicial restraint should cast light on whether he does.

Next, consider a nominee's willingness to overrule precedents. During his confirmation hearings, Thomas refused to say how much deference he would give to previous decisions that he thought were wrong. But he earnestly told Senator Patrick Leahy, "You cannot, simply because you have the votes, begin to change rules, to change a precedent. ... On a personal level as a judge, I, at the end of the day, if I made a decision in a case that way—that willfully—I could not say to myself in the mirror that I have acted consistent with my oath." Contrast these protestations with his record on the Court, where, according to his colleague Justice Antonin Scalia, Thomas will vote to overturn any precedent that he thinks is wrong. Roberts, on the other hand, spoke in specific terms about the weight the Court should give to various factors in deciding whether to overturn an incorrect decision. He told Specter, "If an overruling of a prior precedent is a jolt to the legal system, it is inconsistent with principles of stability."

In his own courtesy visit with Specter, Alito declined to embrace the idea that certain decisions that have been accepted by different presidents, Congresses, and courts over time might qualify as a kind of "super-stare decisis" (or super-precedent). But Alito endorsed the idea of a "sliding scale," according to Specter, and suggested, "The longer a decision was in effect and the more times that it had been reaffirmed by different courts, different justices appointed by different presidents, it had extra-precedential value." By pressing him to give specific examples of precedents that deserve special weight, senators could flesh out whether his stated views about stability are sincere or fig leaves.

Finally, there is the question of a nominee's judicial philosophy. During his hearings, Thomas insisted to Senator Joseph Biden that his interest in natural law–based constitutional theories, such as those of Professor Richard Epstein of the University of Chicago, had been "purely in the context of political theory." Only four years later, however, in *U.S.* v. *Lopez*, Thomas proceeded to try to write Epstein's theories into law. Moreover—although Thomas emphasized in his hearings that "the important point is, What did the Framers think they were doing? What were their views?"—he stressed that "the world didn't stop with the Framers. ... You then look at the rest of the history and tradition of our country." On the bench, however, Thomas has distinguished himself for insisting that the world *did* stop with the Framers and any law inconsistent with their original vision should be overturned. Roberts, by contrast, refused to embrace a jurisprudence of original understanding or natural rights. "I do not have an overarching judicial philosophy that I bring to every case," he said, "I tend to look at the cases from the bottom up rather than the top down."

As for Alito, his views about constitutional originalism remain opaque. Some of his supporters have insisted that he is a reliable originalist, but his opinions rarely invoke constitutional history in a systematic way. By pressing Alito to give specific examples of when and how he thinks the original understanding of the Constitution should bind judges, and when it shouldn't, senators will have a better idea of whether Alito is a bottom-up judge like Roberts or a top-down judge like Thomas.

Trying to make an informed judgment about whether Alito will be a conservative activist, in the model of Thomas or O'Connor, or a principled judge devoted to bipartisan restraint may be one of the harder challenges facing the Senate since the confirmation process went haywire after the defeat of Robert Bork in 1987. But the contrast between the responses of Thomas and Roberts demonstrates that nominees reveal more of themselves under the klieg lights than senators appreciate at the time. If Alito is precise, detailed, and specific about his devotion to restraint, senators can vote their hopes; if he is evasive and abstract, they should vote their fears. ■

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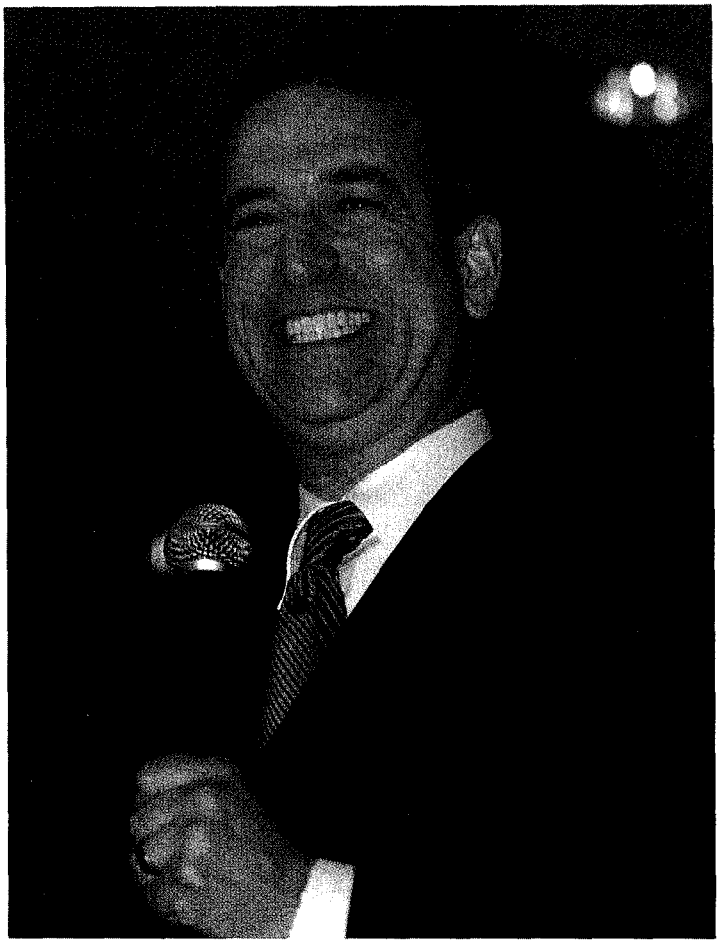
Will Iraq make Russell Feingold the new Howard Dean?

Withdrawal Symptoms

BY MICHAEL CROWLEY



Why is this man smiling? Because antiwar Howard Dean followers love him.

ANDY MANIS/AP

On a Friday night in late September, dozens of Democratic activists filled a slightly dingy American Legion Hall in Epping, New Hampshire. It had been less than a year since the last presidential election, but, in the Granite State, the 2008 campaign was already sputtering to life. And so, as people sat at long folding tables at the Rockingham County Democratic Committee Eleanor Roosevelt Covered Dish Dinner, picking at potluck offerings of varying edibility, a Democratic activist named John Rauh took the podium to prime them for their guest—Russell Feingold, a Democratic senator from Wisconsin. First, Rauh explained, "As a member of the Foreign Relations Committee, and subsequently in the full Senate, Russ voted against the war in Iraq." At this, the crowd, filled with bitter opponents of the war, burst into rousing applause. Then Rauh noted that Feingold had recently "voted with the majority" to confirm John Roberts as chief justice of the Supreme Court. "You may or may not agree with that. But I suggest that it indicates the deep degree of independence within his soul as he ponders leading this nation as a United States senator," Rauh said. Now the hall was silent; if people agreed with this interpretation, they didn't feel moved to say so. "Finally, as you reflect on Russ as a leader, be aware that he was the only member of the United States Senate to vote against the Patriot Act," he said. At this, the hall exploded into a long standing ovation.

This thundering ovation was one of many moments during Feingold's toe-dipping New Hampshire visit that illustrated this relatively obscure senator's rising political fortunes. Feingold's appearances drew large crowds of voters yearning for a Democrat who would speak out and stand on principle, who would risk career suicide to cast a lonely, unpopular vote. And, in Feingold, they had found their man. Here was a Democrat who unequivocally opposed the Iraq war and has proposed a specific timetable to withdraw U.S. troops. Such Democrats are in short supply. Feingold may emerge as the only 2008 Democratic candidate who voted against the Iraq war: Hillary Clinton, John Kerry, John Edwards, Joe Biden, and Evan Bayh all supported the 2002 war resolution, while governors Tom Vilsack of Iowa and Mark Warner of Virginia are hawkish-sounding centrists. Wesley Clark might credibly challenge Feingold's antiwar mantle, but even he was famously inconsistent about Iraq in 2004.

For many of these New Hampshire Democrats, Feingold and his fearless approach reminded them of their last true love: Howard Dean. When Feingold appeared on a Manchester-area radio show, one man called in and said, "I think I'm hearing Howard Dean." After Feingold's speech in Epping, a Democrat in the audience named Kevin Bowe suggested to me that "he's clearly positioned to get that Howard Dean thing going." Meanwhile, on the *Huffington Post* blog—one of many liberal websites to celebrate Feingold of late—the leftist icon Tom Hayden recently asked, "Is Russ Feingold the Next Howard Dean?"

This is great news for a man clearly interested in running for president in 2008—and an ulcer-maker for the current presumed Democratic front-runner, Hillary Clinton. But

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the Dean-Feingold comparison has its limits. Dean almost always told liberals what they wanted to hear. Feingold, by contrast, has a track record of quirky independence that routinely alienates his ideological allies. His career is riddled with positions—from backing Roberts to supporting campaign finance reform to defending Bill Clinton's impeachment trial—that leave other Democrats wanting to wring his neck. His unpredictable political style "can be very annoying sometimes," says David Newby, a Feingold ally who is president of the Wisconsin AFL-CIO. Dean was never so complicated. At the moment, however, Feingold's future may hinge on one simple word: Iraq.

LAST MONTH, CINDY Sheehan, the bereaved mother crusading against the Iraq war, posted an open letter on the website of left-wing filmmaker Michael Moore. Her latest target wasn't the man she staked out last summer—George W. Bush—but the new villain of the antiwar left: Hillary Clinton. Sheehan's letter excoriated Clinton for backing the Iraq war and for her refusal to call for a speedy withdrawal of U.S. troops. "That sounds like Rush Limbaugh to me. That doesn't sound like an opposition party leader speaking," Sheehan wrote. "I think [Clinton] is a political animal who believes she has to be a war hawk to keep up with the big boys."

One Democratic strategist told me he thinks Clinton's problem is not ideology but authenticity—a sense among people like Sheehan that Clinton's positions are based more on politics than principle. Authenticity will never be a problem for Feingold. To the extent he's known outside of Washington, it's for standing on principle. And no issue has symbolized this like his opposition to the Iraq war. That was clear when Feingold visited a Service Employees International Union (SEIU) office earlier that Friday for an informal roundtable with about a dozen key party activists, including union leaders, local politicians, and state party officials. In the parking lot, several cars still bore Dean bumper stickers. (Tellingly, I saw no Kerry signage.) As people grabbed chocolate-chip cookies and apples, Kathy Sullivan, the state party's executive director, hit all the key notes from Feingold's bio: Harvard Law. Rhodes Scholar. Campaign finance reformer. Then she looked up from her notes and got to what may have been the real reason people were there. "He's especially interesting," she added, "because he's really led the way on the position that I think Democrats should have on the Iraq war."

It's hard to say how Iraq will look once intense primary campaigning begins in late 2007. But it's safe to assume that the war will shape the campaign's early dynamics. Indeed, Feingold's Iraq position is already causing friction between Clinton and the left. According to *The Village Voice*, in late September, a group of 30 New York antiwar activists wrangled a meeting with a Clinton legislative aide. The purpose of the meeting was to "pressure" the aide to embrace a Senate resolution setting an exit timetable—Feingold's resolution, that is.

Feingold seems aware that he's onto a good thing, politically. In New Hampshire and in a series of Senate speeches, he has regularly reiterated his opposition to the war, his frustration with Democrats who aren't speaking out, and his call for a withdrawal timeline. At the SEIU roundtable, he was eager to steer the discussion along these lines. "How deep is the sentiment here in New Hampshire about Iraq?" Feingold asked.

Paul Hodes, a party activist who is running for Congress, spoke up. "In our base, the sentiment I hear is very strong for 'get out now.' That's what I'm hearing from people as I go around the state," Hodes said. "I was in Littleton last night. The message was very strong, saying, as Democrats, 'Iraq was a mistake, and get out right now.' "

Feingold has not called for the United States to get out of Iraq "right now." But he is the only major congressional Democrat to set a specific withdrawal timetable. The impetus for his proposal was a trip he took to Iraq in February with a small Senate delegation that included, of all people, Hillary Clinton. Feingold had never visited Iraq before, and he was appalled by what he saw there. "We couldn't stay overnight in Iraq," he said recently. "We couldn't drive from the airport to the Green Zone. When we went to the Green Zone, the helicopters had to go just over the palm trees so they wouldn't get shot down. We never got to go out to see the rest of Baghdad, because they couldn't take us out safely. We wore flak jackets and helmets *in* the Green Zone. And people are worried about chaos if we leave?"

Conditions in Iraq are certainly nasty. But Feingold has long harbored wariness about U.S. military action. When Republicans forced a 1995 Senate vote to cut off funding for U.S. military forces in Bosnia, for instance, he was the sole Democrat to join 21 conservatives in support of the resolution. As other Democrats waxed idealistic about human rights, Feingold fretted about Vietnam parallels and worried that "our attempting to police the world threatens our own national security." By 1997, he was fighting to cut off funding for military operations in Bosnia and to begin an early withdrawal of U.S. forces. "What they haven't done is define a concrete exit strategy for our American troops," he said at the time. "This administration needs to sit down and work with Congress to map out a specific schedule for bringing our troops home, or they will be there for a very, very long time." Likewise, Feingold cast just one of three Democratic 'no' votes against the 1999 Kosovo bombing campaign. "It's a compelling notion that the American government has an obligation to stop brutality and genocide. I can't dispute that," he told the *Milwaukee Journal-Sentinel* in March of 1999. "But how can we be acting in Bosnia and Kosovo and not Rwanda, or Sudan, or East Timor, or even Tibet?" Feingold even told me that, during the 2000 presidential campaign, "I liked some of the things George W. Bush said about nation-building."

When it came to Iraq, Feingold concluded in the wake of his trip there that the occupation was doing more harm than good—both to the future of Iraq and to America's global

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national security interests. He soon began urging the Bush administration to offer a more detailed exit strategy. On August 18, he went a step further, delivering a speech in Marquette, Wisconsin, setting December 31, 2006, as the target date for the withdrawal of all American troops from Iraq. Feingold stresses that his deadline comes "with flexibility," a caveat that some critics say renders it close to meaningless. But that's almost beside the point. What is most significant is the way Feingold, as he himself says, "broke a taboo." Previously, no other mainstream congressional Democrat had proposed an Iraq exit strategy. Fearful of being called weak or taking a position that could consign Iraq to chaos, even liberals in the House have generally held their tongues.

Feingold's speech was an instant hit across the liberal blogosphere. Already a minor hero for his lonely vote against the Patriot Act, Feingold was suddenly hailed as a Democratic savior for 2008 at major "netroots" sites like *Daily Kos* and *MyDD*. In particular, the blog crowd loved the way Feingold's critique of the war displayed his "spine." Some argued Feingold's bravery, in and of itself, was at least as important as his substantive position. "I think many Americans are less attracted by ideas and positions on the issues and more attracted by backbone, tenacity, and the ability to stand up for beliefs," wrote one commenter at *MyDD*. The notion was also echoed by David Sirota, a former House staffer turned liberal blogger, who argued in one dispatch that Feingold "continues to courageously take on the Washington, D.C. Democratic Establishment and its weak-kneed fear of taking any sort of serious stand on Iraq. Be sure not to miss that profile in courage, Sen. Joe Biden, as he provides a perfect example of why the public believes Democrats stand for nothing. Feingold, by contrast, seems to understand the need for his party to take strong stands—especially on the most pressing national security/foreign policy issue facing our country right now." Even when Feingold was walking down a Manchester, New Hampshire, street, a stranger walked up to him to declare, "You're a man of courage!"

Almost immediately after his speech, Feingold's numbers began climbing in monthly online straw polls staged by *MyDD* and *Daily Kos*. Such polls aren't exactly the Iowa caucuses, of course. But they're still good barometers of sentiment within the crowd that helped turn Dean from protest candidate to near-nominee. Clark, who is still surprisingly popular, routinely wins these polls. But Feingold now places second nearly every time—and his numbers are growing. In an October straw poll, he won 23 percent of the vote compared with Clark's 31 percent. His next closest rival was last year's vice presidential nominee, John Edwards, at a mere 12 percent. Hillary Clinton polled just 7 percent.

That suggests Feingold is capturing the high-octane Internet power that fueled the Dean phenomenon. But much

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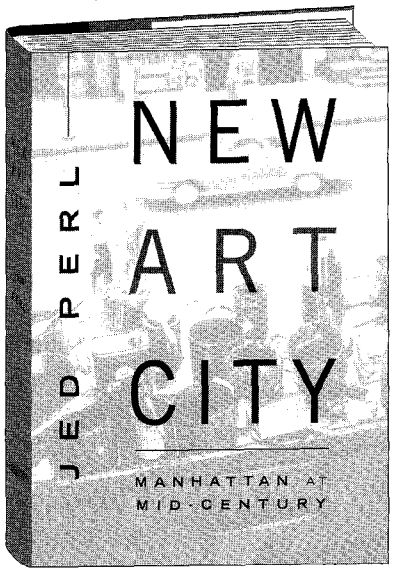

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of what these bloggers know about him is based on his votes on Iraq and the Patriot Act. The rest of his career might surprise them.

THROUGHOUT HIS WEEKEND in New Hampshire, one question dogged Feingold like a nagging cough: Why did you vote for John Roberts? The question came up twice during a listening session Feingold held at Dartmouth College in Hanover. Overall, it was a welcoming crowd; one organizer called the turnout—around 130 people early on a Saturday morning—"truly astounding." But Roberts was the fly in the ointment. Arguing that "his jurisprudence led to the decision in" *Hamdi* v. *Rumsfeld*, the 2004 Supreme Court case ruling on the rights of suspected terrorist detainees, one questioner (among three who mentioned Roberts) asked with a touch of indignation, "Is it acceptable that the judiciary is going to accept my country's systemic use of torture and violation of habeas corpus? And, if that's unacceptable, how can we suggest that John Roberts is mainstream?"

While Clinton struggles with questions about her authenticity, Feingold will likely be forced to answer questions about his sense of "principle." Throughout his Senate career, Feingold has taken stances that leave fellow Democrats befuddled and angry. Often that's thanks to his fixation on the integrity of the political process—which he sometimes values above his partisan and even ideological imperatives. Unlike Democrats eager to torment Bush at every possible turn, for instance, Feingold believes the Senate should defer to a president's choice of nominees. Thus, he infuriated liberals in 2001 by voting for the confirmation of John Ashcroft as attorney general. And, at a time when other potential 2008 contenders—even moderates like Indiana's Bayh—said they couldn't bring themselves to vote for Roberts, Feingold did, saying Roberts was well-credentialed and the best Democrats could expect from Bush.

Feingold's emphasis on process flows from the Wisconsin Progressive tradition—exemplified by the state's political icon, "Fighting" Bob La Folette—which battled to reform the political system. He was raised in a middle-class Wisconsin town, tutored in politics by a lawyer father who ran unsuccessfully for local offices as a Progressive and who taught him, as Feingold once told a local paper, "that honest and decent politics is an honorable profession." Feingold idolized John F. Kennedy as a boy and spoke openly about his own political aspirations. After college at the University of Wisconsin, followed by a Rhodes scholarship to Oxford and Harvard Law School, he became a white-collar lawyer until he ran for the Wisconsin state legislature and won. When he first ran for U.S. Senate in 1992, his focus was tellingly process-oriented: Feingold posted a list of campaign pledges on his garage door, which included pledges to attend every vote, maintain his Wisconsin residence, and refuse pay raises and most out-of-state campaign donations.

In Washington, Feingold has maintained his process-orientation—to the frequent dismay of his fellow Democrats. The most obvious example is his relentless advocacy of major campaign finance reform in the late '90s and early '00s. When he teamed up with John McCain to pass new campaign finance restrictions a few years ago, many Democratic party officials felt near-panic over the legislation's ban on "soft money" fund-raising by the national parties, a cash stream that was far more important to Democrats than to Republicans. (McCain-Feingold's long-term effects are still uncertain, though the rise of Internet fund-raising has spared Democrats for now.) But Feingold didn't care: This is a man who demanded that the Democratic party stop running ads in support of his *own* 1998 Senate campaign because he opposed soft money–funded ads in principle. "Get the hell out of my state with those things," he said at the time. "It was kind of frustrating," says his friend Newby of the AFL-CIO.

Within the Senate, some Democrats see Feingold as less a noble reformer and more a holier-than-thou prig. He once tried, unsuccessfully, to bar members of Congress from making personal use of frequent-flier miles earned on their official travels. He is totally ascetic about the influence of lobbyists and has fought to ban lobbyist gifts for lawmakers. He also requires his own staff to observe stricter limits than Senate rules dictate, forbidding them from accepting the most token gifts from outsiders. Even junior aides—including interns—are prohibited from snacking and drinking at the countless Capitol Hill receptions held by various trade associations and happily mobbed by hundreds of Hill staffers.

On its own, this would be enough to give Feingold a hall-monitor reputation. ("He's like the kid in class who tattles on everyone else," says one Democratic Hill aide turned lobbyist.) But maybe nothing annoys Feingold's colleagues as much as his fights against annual cost-of-living raises granted to senators. Such raises now kick in automatically by law, but Feingold has tried to change that, and he routinely battles to force an invariably embarrassing Senate debate—and recorded vote—on them. "It's not my favorite time of year in the Senate," Feingold concedes. (Although Feingold is a pauper by Senate standards, he refuses pay raises and donates anything over his $162,100 starting salary for deficit reduction—more than $50,000 so far.)

Maybe the ultimate Feingold heresy came during the 1998–1999 Clinton impeachment fight. When Democratic Senator Robert Byrd of West Virginia offered a resolution to dismiss the charges against the president, every Democrat voted for the resolution but one: Feingold. Again, the issue was process. Feingold argued that Republicans deserved a chance to make their case and put it to a vote and that the Byrd resolution would "in appearance, and in fact, improperly short-circuit this trial" and "call the fairness of the process into question." The vote was a disaster among his Democratic constituents, according to the Wisconsin Democratic Party chairwoman, who told *The Washington Post*: "We're getting a lot of very upset people calling. ... Elderly people crying, other people yelling. ... They're just

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mad as hell." Feingold ultimately voted against impeachment. But watching him explain his interim vote promises to amuse. One adviser to a potential 2008 rival said he could envision cutting a "Feingold favored impeachment" ad. That's hardly a winning position with the Democratic base—not to mention a touchy debating point on a stage with Hillary Clinton.

Nevertheless, in New Hampshire, Feingold rarely missed a chance to slam his fellow Washington Democrats for mounting a timid opposition to the GOP. "We, as Democrats, have to provide a genuine alternative to the Republican Party," he said in Epping. "We cannot just be what I like to call Republican lite. *That will not work.*" At various points, I heard Feingold denounce Democrats as being "too timid" on Iraq, complain that they provided votes to pass a GOP energy bill this summer, and even boast that he was the only Senate Democrat to criticize the "Gang of 14" compromise that averted the Senate "nuclear option" showdown this spring. (Feingold said the compromise conceded too much to the Republicans.) It was a striking echo of Dean's vow to represent "the Democratic wing of the Democratic party"—made all the more impressive coming from a man who has to work every day with the same Capitol Hill Democrats he was bashing.

All of which makes Feingold something of a loner in the Senate. Although respected for his intellect and integrity, Feingold "doesn't have any friends" in the chamber, according to one veteran Democratic aide. It may even be fair to say he has a few enemies. For example, Feingold told me that, in the heat of one pay-raise debate a few years ago, one of his colleagues marched up to him. "Feingold," the senator said, "if we go into Iraq, we're strapping you onto the first missile!"

Back in New Hampshire, it was early on Saturday morning, and the only thing Feingold was strapped to was the seat of a rented van. Cruising down the highway from Manchester to Dartmouth, Feingold held court with a handful of reporters. He was impressive in close quarters: a quick and clear thinker with less of a tendency to drone on than the average senator (including a certain recent Democratic presidential nominee). Reminiscing about his Rhodes scholar days—playing squash with Tom Friedman, talking sports with future NFL quarterback Pat Haden—Feingold had a certain goody-two-shoes quality. (Though he grew surprisingly animated when reminded that Dartmouth had been the fictionalized setting for *Animal House*. It turns out Feingold can quote readily from some of the movie's more obscure scenes.)

On the drive, Feingold chose to emphasize a surprising theme. Although he's a rising star today for his antiwar position, he made a point of talking about his party's standing on national security issues. "I think Democrats bankrupt their credibility if they cannot say there is no room for trying to understand Al Qaeda. The idea that you would negotiate [with terrorists] is unacceptable." He continued, speaking in the steady and reasoned voice of the litigator he once was: "If we are not perceived as strong and able to deal with international threats, we won't win. I do agree with some of those more conservative Democrats who say we need to do this. I just don't buy their argument about Iraq."

Feingold was clearly driving home a calculated talking point—perhaps one intended to compensate for his markedly dovish record on military action in the '90s. But, in that sense, it showed him to be savvier than your typical one-note antiwar candidate. Certainly, Feingold has been thinking about what it takes to run a national campaign; in one conversation, he made an offhand reference to an obscure detail in *The Making of the President, 1960*.

But this kind of independent streak, especially when it doesn't match liberal activists' ideological principles, can be a liability. After his speech in Epping, during which he insisted that Democrats must "show passion for American national security" and make it clear that, "if there are people out there who want to kill us, we should stop them first," a few activists complained to reporters afterward that he had sounded too "hawkish."

Episodes like these raise the question of whether Democratic activists really are yearning for a candidate who stands up for what he "believes"—whether, as that one commenter at *MyDD* suggested, bravery is more important than ideology. The flak Feingold has taken over his less predictable opinions—on Roberts or on a tough national security policy, for instance—suggests this may not be the case at all.

What's more, Feingold may soon lose his monopoly on the out-of-Iraq mantle. "The ground is about to shift on this thing, and Democrats and Republicans alike are going to be advocating bringing the troops home," said an aide to one potential 2008 Democrat. John Kerry recently called for the withdrawal of 20,000 U.S. troops after the Iraqi elections in December, and former Senate Democratic Leader Tom Daschle has proposed withdrawal by December 2007.

For now, however, Feingold is the best hope that antiwar liberals have. Even if some pro-war candidates echo his themes, they can't change their original vote for invading Iraq. Feingold can also credibly say he launched the withdrawal debate. And his lonely opposition to the Patriot Act is forever fixed in liberal lore. Yes, his presidential dreams face obstacles: He's Jewish. He has been divorced twice. He's not about to rouse the "Democratic wing of the Democratic party" with a primal scream. But, in reality, his odds of winning the Democratic nomination are slim anyway. What Feingold can do is make life miserable for the other Democrats who seek it. Dean didn't defeat Kerry, after all. But he was the proximate cause for Kerry's vote against the $87 billion war appropriations bill—a vote that haunted Kerry in the general election. In 2008, perhaps Feingold will play the role of Dean to Clinton's Kerry, battering her image and dragging her further left than she can afford to go. A couple of years from now, in other words, it may be Hillary Clinton who wants to strap Russ Feingold onto a missile. ■

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BOOKS & THE ARTS

STANLEY KAUFFMANN ON FILMS

Agony and Allegory

THE TERMS "TERRORISM" and "terrorist" seem to be two of the most frequently used words in the English language. Every day we encounter them in the media, related to some disaster, recent or new. It would be spurious to sigh for a past that was always tranquil; nonetheless we cannot help feeling that the world has become much more continually ravaged with violence. And almost always it is principled violence, at least in the minds of the assailants. Nowhere are the principles more galvanic than in the suicide bombing raids carried out by Palestinians against Israel. In the midst—it looks like the midst, not the waning days—of these horrors, an Israeli-born Palestinian named Hany Abu-Assad has made a film called **PARADISE NOW** about two Palestinian terrorists.

PARADISE NOW
(Warner Independent)

INNOCENCE
(Leisure Time)

The screenplay by Abu-Assad and the film's Dutch producer, Bero Beyer contains very little data that will be new to observers of this long and wretched situation. The Palestinians consider themselves imprisoned, cheated, humiliated. They can all remember killings and maimings of their people by Israeli raids (though there is no mention that those raids were usually a response to Palestinian raids). They writhe under Israel's giant military superiority, and they believe that their suicidal bombings are their only means of combat, bee stings on the giant that at least show defiance. And, most importantly, most frighteningly, these bombings are not solely patriotic, they are religious actions that transform the bombers into martyrs for their faith. Hence the film's title.

But, even though no reasonably well-informed viewer will learn much factual information from the picture, it grips; it even torments, because it lets us move and breathe and shiver and resolve with two particular young men. Said and Khaled are auto mechanics in Nablus on the West Bank and are members of a group of resisters. They are told just a day ahead of time that their leaders have chosen them for a bombing mission, which of course means their deaths. We spend that day with them, during which they may not speak to others of their mission. We sense the tacit pathos as they see family and friends. But it is not just our knowledge of where they are headed that chills us, not just the doubt (for most of us) that their deaths will carry them to heavenly glory; it is the brutal knowledge that they are only going to add their lives and as yet uncounted Israeli lives to utter wastage. Solutions to the Israeli-Palestinian trouble may come in time, though they seemed remote enough even before the president of Iran recently pushed them further off, but missions of this kind can hardly help. They seem more and more to be reduced to acts of self-justification.

A young Palestinian woman named Suha, who has spent much of her life abroad, tries to convince Khaled and Said that violence will not end violence, but by now they are bound with commitments, fraternal and private. We see the ritual of the farewell speech before a camcorder—technical trouble provides the film's only humorous episode. We see the two young men barbered and bathed and strapped with their bombs. We see them taken to a hole in the Israeli fence that has been cut by a paid Israeli Arab; we see the quick aborting of the mission, the separation of the two friends, and their delayed reunion in Israel. (Question: the first time they had to slip secretly through the fence. The second time Khaled is driven into Israel by two associates. How so?) Only one of the bombers remains there, however, to carry out the task.

But fulfillment of the mission is not the point of *Paradise Now*. Abu-Assad wants to transform the anonymous suicide bombers that we read and hear about in news reports into two young individuals, tremulous yet consecrated. Not many viewers will sympathize with their intent; but it is possible, despite the murders done by such men, to see them as still more members of the human race trapped in history.

Abu-Assad's directing is more adequate than fluent. Ali Suliman and Kais Nashef as the two young men are disquietingly convincing, and Lubna Azabal as Suha is fervent and clear. The poorest element in the film is the cinematography, which is generally pallid. We can rationalize this, if we choose, by saying that the director wanted his film to look un-cinematic, as if it were stolen from reality.

The *Oxford English Dictionary* says that an allegory is "an extended or continued metaphor." And to think that this definition was coined when a French film called **INNOCENCE** was still very far in the future! But how aptly this film proves the point.

We first see swirling water, then a stream, then woods and fields and a mansion. Then we see a coffin in a large room. The camera, held low, shows us children's legs, all girls, all wearing the same skirts and socks and shoes, skittering in and surrounding the coffin. One of the girls unlocks it. The seeming corpse of another girl, perhaps nine or ten, lies within. But the corpse opens its eyes and rises. She is greeted by the other girls. Thus, to our amazement and to our soon amiable amusement, a new student arrives at a strange ballet school in France.

Nothing is explained in this picture. Everything is taken for granted by the people in it, and we soon discard our usual curiosity as we perceive that we are not seeing realism but idealization, one kind of it anyway. The rules in this school, in this huge château, are strict, and are usually pronounced by the oldest of the girls. The only adults we see are

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two elderly women and two attractive young women, one of whom is their ballet teacher. (She limps, and the rumor is that her leg was deliberately broken because she once tried to escape.) We also glimpse a boy, whose fleeting presence is also unexplained but is not of much lubricious moment because he is young and all the girls are prepubescent. In fact, one sequence deals with an older girl's arrival at menstruation.

At the end of their ballet training, one girl is chosen for an unspecified special favor by a visiting headmistress; and the others are taken to a contiguous lovely theater, where they perform for an unseen audience. The receipts from these performances are what support the school, so prices must be steep because the theater is small.

At the last the oldest girls are taken under escort on a private train to an unnamed city, then are guided past palatial buildings to a courtyard full of fountains. There they splash and play with boys about their age. Meanwhile, back at the school, another coffin with a new student is arriving, and the film ends with a shot of the swirling water that we saw at the start.

I can hardly believe as I type these comments on *Innocence* that I watched it with unflagging interest. What does the picture mean? Obviously it is not a literal description of any ballet school anywhere. Its title and its setting suggest that the school is a metaphor for girls' passage from childhood to pubescence and that this metaphor has been extended by the writer-director, Lucile Hadzihalilovic, into an allegory. But she has done it with such assurance, such an airy touch, that we postpone any questions until afterward. ■

JED PERL ON ART

Matisse's Uncertainty

THERE ARE VERY FEW PAINTERS whose work is at once emotionally overwhelming and emotionally elusive. Giorgione was the first to manage this extraordinary feat, and in their different ways Watteau, Corot, Bonnard, and Matisse have explored the same mysterious heights. Each of these artists takes feelings that are raw, unanalyzed, perhaps unanalyzable, and wrests from them a brilliantly shifting artistic climate—a painterly weather that is stormy one moment, sunny the next. These artists give the lyric mode a heroic dimension, and in doing so they run roughshod over conventions, stretch genres, confound narratives, re-shape myths, and force color and line into unexpected and seemingly impossible roles. We are taken to places where we have never been. And even when we have soaked up the melancholy green atmosphere of Giorgione's *La Tempesta* or the brash euphoria of Matisse's *Dance*, we may not be able to explain what we have seen. That is what the artists intend. They keep us off balance. Their art, at once superbly potent and unyieldingly reticent, achieves a baffling heroism.

These lyrical giants confound any fixed or received idea of completeness, clarity, and coherence in the visual arts. Their attitude toward subject matter is vexatious, uneasy, unruly. Matisse, Watteau, and Giorgione take an equivocal attitude toward traditional themes. They never exactly accept landscape, portrait, or figure composition as distinct genres. They are less likely to explore the core of a subject than to slide away from it—to use a subject as a provocation, as the starting point for a free-floating investigation. Matisse's portraits tend to turn into icons or idols. In some of his most famous figure compositions—*Luxe, calme, et volupté*, *Le Bonheur de vivre*, *Dance*, and *Music*—mythic or allegorical situations are re-framed in terms so personal, so idiosyncratic, that figure composition's classical ideals of closure and coherence are utterly compromised.

When these artists embrace a subject, they want to see how far they can stretch its implications. In Corot's paintings of a model visiting the artist's studio, what in lesser hands might be a conventional genre subject becomes a portrait of the muse, nothing less than an allegory of art. Bonnard regularly destabilizes genre, especially when he paints his wife in the bathtub in such a way as to suggest not a snapshot of everyday life but a funerary figure or a sarcophagus. In the paintings of odalisques that absorbed Matisse in the 1920s, the artist is equally adept at wresting shimmering thematic perspectives from perceptual experience, for the model in her harem pants becomes an allegory of East and West. These artists—especially Giorgione, who is perhaps the most elusive titan in Western art—cultivate instability.

Giorgione's *La Tempesta*, Watteau's *fêtes galantes*, Corot's studio paintings, Bonnard's studies of Marthe in her bath, and Matisse's *Dance* are among the supreme achievements of the anti-academic spirit in Western art. These works define no clear tradition. Indeed, they look and feel utterly different from one another. What binds them together is the artist's restlessness. While all great painters are in some sense hostile to the academic rulebook, these artists are hostile to the focusing and centering of artistic energies that academic standards are meant to enshrine. They are in revolt against the settledness of experience. For most artists, even the greatest, subject matter is a means of sharpening or intensifying expression. For Chardin, whose enterprise has so little to do with the attitudes that I am describing, still life is a discipline, a set of rules, a delimiting order that focuses and directs his powers. Subject matter is a bulwark, a fortress, a dam that contains Chardin's feelings, so that he can delve deeper into them. With Giorgione, by contrast, the whole point is to spill over, to surpass limits, to swamp and to submerge conventions, to float off into other genres and lose track of boundaries entirely. From time to time artists have picked up on this idea. Watteau's scenes of men and women in romantic gardens are documents of the life of his time, but they are also pastoral fantasies, and the genius with which Watteau slips from theme to theme has made his work nearly impossible for art historians to unravel.

NO ONE PUSHED THE IMPULSE to spill from subject to subject, and from theme to theme, further than Matisse. "I am conscious only of the forces I use," Matisse explained, "and I am driven by an idea that I really only grasp as it grows with the picture." His boldly assertive

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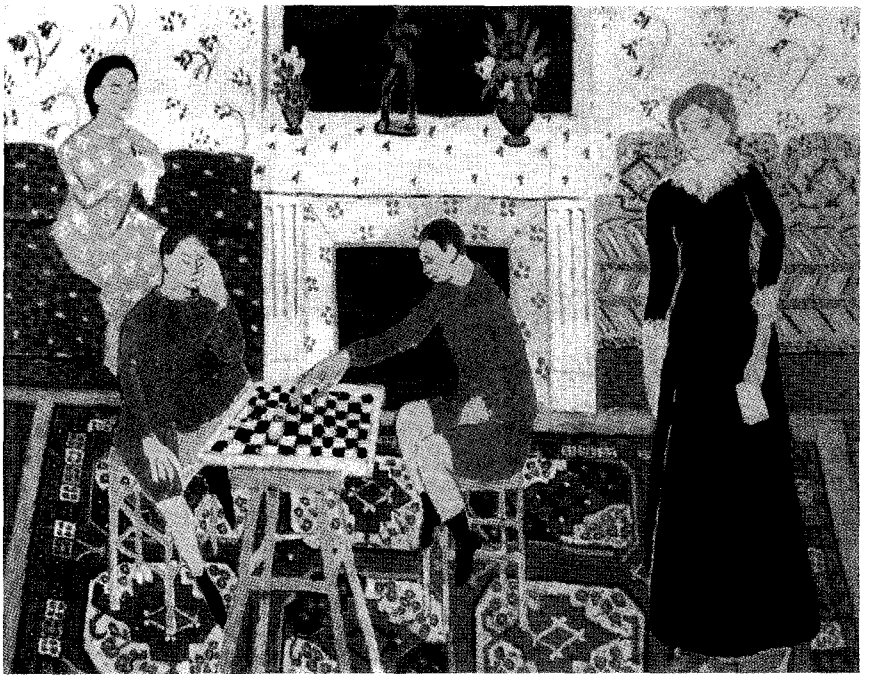
structures are honeycombed with thematic variations. In the chapel that he designed at Vence in the 1940s, with its strangely austere stained glass and unexpectedly voluptuous black-and-white tile murals, Matisse simultaneously offered an essay in the traditions of Christian art, a sun-bleached Elysium, and a fresh exploration of his old obsession with the erotic possibilities of color and line. At times, especially in the years leading up to World War I and then again after World War II, he seemed to be spilling straight out of the European tradition, with its grounding in representation, toward an art of abstract structures and inscrutable symbols. What set Matisse apart from nearly all the other artists of his time who found their way into abstraction was that he made his way there on the basis of intuitions that were never systematically expanded. His wittily heraldic paper cutouts have a place, along with works by Mondrian such as *Trafalgar Square* and *Broadway Boogie Woogie*, among the ultimate distillations of modern art. But if Mondrian's final essays in the language of verticals and horizontals and primary colors crystallize an entire worldview, Matisse's cut-paper conceits remain the products of sublime idiosyncracy, an edifice sufficient to his needs alone.

In Hilary Spurling's impressive biography of Matisse, we see the psychological toll that was exacted by this artist's furiously improvisational approach. As Spurling tells the story—in the first volume, *The Unknown Matisse: The Early Years, 1869–1908*, which appeared in 1998, and in the second and concluding volume, *Matisse the Master: The Conquest of Colour, 1909–1954*, which has just been published by Knopf—the preparation for work, no less than the work itself, could send Matisse into fevers of anxiety. A canny psychiatrist once told him "that his nervous disorders were not a sickness but an essential part of his make-up." And if Matisse in the midst of his creative torments often hardly knew where he was headed, this helps to explain the particular character that resolution takes in his paintings, where it registers less as the triumphant fulfillment of intentions than as something like the relief of arrival or discovery. His paintings do not so much guide us to a place as they are quite simply *there*. They invite us to explore. The Matisse whom we see revealed in his masterpieces has shed his formidable intellect, leaving us with an experience that is not so much pure as it is untethered, open-ended. He turns out to be the consummate modern hedonist. In the text for *Jazz*, the album of cut-paper designs that he published in 1947, he recalled "that Japanese artists of the great period changed their names several times during their lives. I like that: they wanted to protect their freedoms."

If the resolution of a work of art was, for Matisse, a release into freedom, it was all the sweeter considering the hell he experienced in finding his way there. Spurling writes that Matisse "approached the act of painting [as] a tension so extreme that those closest to him risked being sucked in with him to the verge of breakdown or vertigo." Georges Duthuit, who was married to Matisse's daughter Marguerite, explained that Matisse "spent whole nights without sleep, nights of desperation and panic." Among those who ministered to Matisse during these attacks were his wife Amélie, Marguerite, and Lydia Delectorskaya, the woman who lived with him in his later years, after he and Amélie had separated. Many of Matisse's travels—to the south of France, to north Africa, to Spain—can be understood as attempts to escape from some hopeless, overwhelming anxiety or tension or depression. And the trips could bring on their own crises, as in Spain in 1910. Spurling describes how

> he had not slept for more than a week by the time he reached Seville in a state of near collapse. After the first few days, the weather deteriorated into torrential rainstorms fiercer than he had ever seen before. "Seville is a town turned in on itself, where everyone shivers with cold," he told Pierre Courthion in retrospect. The chill that gripped him body and soul made him tremble so violently that his metal bedstead drummed on the tiled floor of his room. "My bed shook, and from my throat came a little high-pitched cry that I could not stop."



COURTESY ALFRED A. KNOPF

HENRI MATISSE, *The Painter's Family*, 1911

Spurling is a master at describing the tangled riches of this artist's emotions. She sets his creative struggles within the enclosing circle of his family and friends with a sensitivity to psychological nuance and interpersonal dynamics that puts most novelists to shame. The story that Spurling tells is a long one, stretching from the artist's childhood in the stiflingly conventional atmosphere of northeastern France, where he was born in 1869, through the splendors and miseries of fin-de-siècle Paris, the artist's gathering fame, two world wars, and his death in 1954, when he was an international legend whose witty paper cutouts had been embraced as a symbol of postwar Eu-

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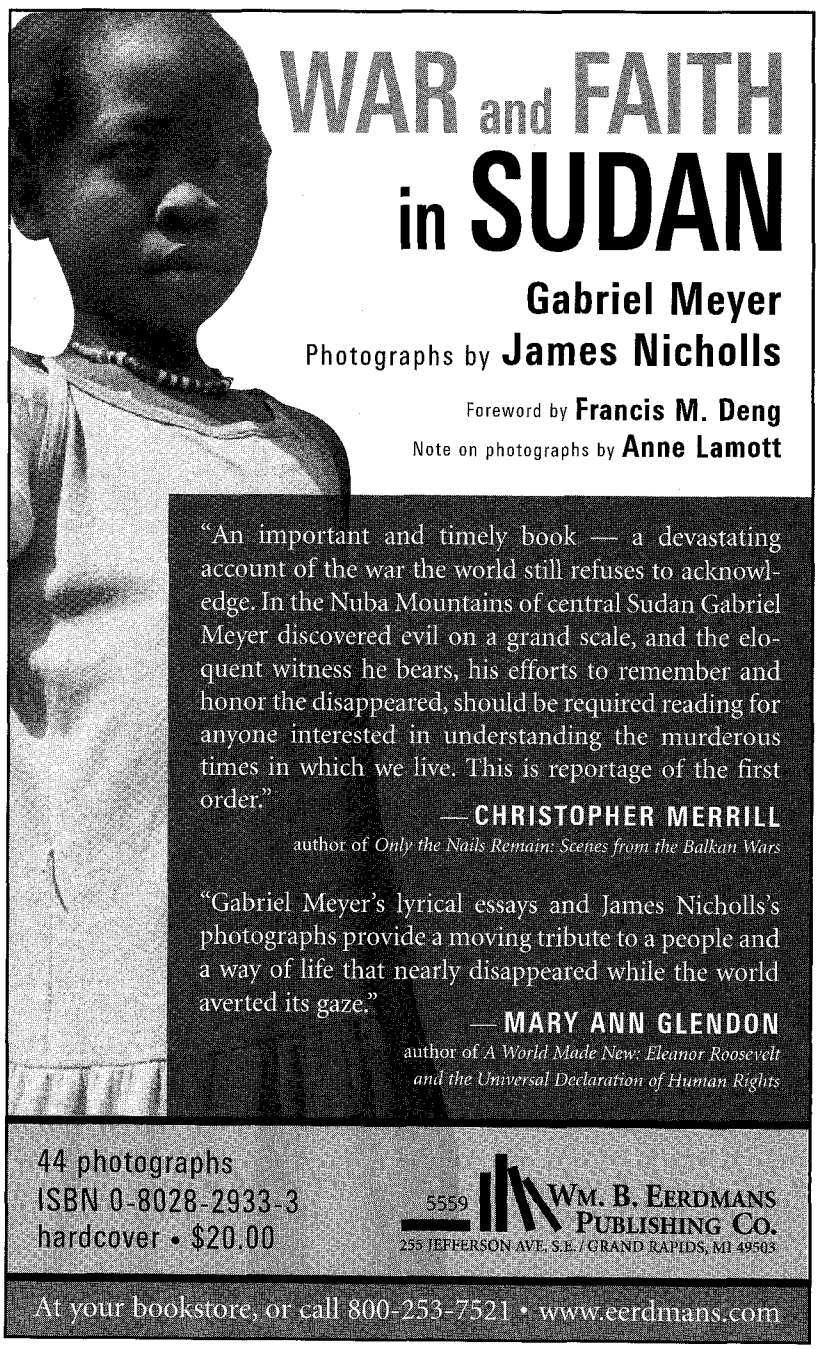
rope's resurgent optimism. True, the later years can feel a bit rushed in Spurling's telling, where Matisse's final decade is covered in a mere forty pages, as compared with the close to three hundred pages that she devotes to the years 1900–10. I hungered for a more extended treatment of the creation of the chapel at Vence. I wish that Spurling had extended her gift for biographical portraiture to some of the people with whom Matisse was involved on that project, such as Father Marie-Alain Couturier, who spurred a revival of Catholic art in France after World War II. And more could probably also have been said about Tériade, the publisher whose enthusiasm helped push Matisse to create the cycle of illustrated books that are among the crowning achievements of the postwar years.

But if one seeks more portraits-in-miniature of Matisse's friends and supporters, it is because Spurling has done such a wonderful job with the earlier decades, filling her biography with what amounts to a sheaf of vividly drawn brief lives. She gives a most sensitive account of the great teacher Gustave Moreau, that painter of bejeweled symbolist fantasies. We see him increasingly alienated from his old-guard painter friends, as he watched the awful struggles of his astonishingly gifted students, who had embraced an avant-garde vision that Moreau instinctively esteemed but could barely comprehend. The Australian painter John Russell, an old friend of van Gogh's, is another bright presence in the early pages of Spurling's book. His appealingly informal home life on the Brittany coast, presided over by his wife Marianna, a former model with whom everybody seemed to fall a bit in love, was a haven for Matisse and some of his friends, where they could forget all the troubles that bedeviled them back in hardscrabble Paris. Spurling knows how to isolate the telling anecdote, so that these portraits shine. Friends such as the painter Simon Bussy and the English art critic and historian Matthew Prichard, both early supporters, become memorable figures. The story of bohemian Paris—with its stinging poverty, its wild hopes, its impossible odds, its astonishing triumphs—has rarely been rendered with such delicacy and truth. There are pages in the early sections of the book that rival the pulsing exuberance of Roger Shattuck's *The Banquet Years*.

For Spurling, this story is, first and last, the story of a family. She has dedicated her earlier volume to "the memory of its heroine," Amélie, Matisse's wife. In Spurling's account, Amélie was a woman with a fierce will and a rather modern sense of her own independence, who sought to give meaning to her life by devoting herself to the care of this most difficult genius. Amélie's struggles to find a reason for living by bending her own will to the will of Henri's art, which she almost felt to be her own, can be understood as an episode in the painful birth of a modern feminine consciousness, and some readers will be reminded of the struggles of Ibsen's heroines. The later years, when Henri turned away from Amélie, whose ministrations he no longer wanted or needed, must have been devastating for Amélie—which helps to explain why Spurling, her great supporter, passes over those years in relative silence.

Equally harrowing is Spurling's portrait of Marguerite, Matisse's daughter from an earlier alliance, whom Amélie embraced as her own, the first of her and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Matisse's three children. Marguerite, who as a child and young adult endured endless medical treatments, many of them painful and dangerous, became a second helpmate to her father, sometimes taking on the role of a mother in relation to his sons Jean and Pierre. Marguerite herself ultimately may have felt that her devotion to her father had kept her from really making a life for herself. And when she joined the Resistance during World War II, and was caught by the Gestapo, and tortured, and barely survived, Spurling leaves little doubt that for Marguerite, her ability to triumph in the face of such awful adversity owed something to a toughness that she had developed in the very bosom of her family.

I CAN'T THINK OF A BIOGRAPHY OF an artist in which family dynamics are so deeply explored, ranging from Matisse's relationship with his parents, through Amélie's relations with her parents and sister, to Henri's and Amélie's dealings with their children, and their children's spouses, and the entire family's uneasy responses to the various women beyond the family circle who nurtured Matisse in one way or another. It is significant that all Matisse's children aspired to be artists; what this says about their desire to connect with a distant, beloved father is probably too obvious to require comment. And it is interesting that Pierre, the one child who really managed to establish himself as an independent figure, did so as an art dealer. He set up business in New York in the 1930s, and was one of a dozen or so dealers who played a critical role in bringing the news of modern art to America in the mid-century years; his exhibitions of Miró, Matisse, Balthus, and Giacometti were among the defining events in New York from the 1930s to the 1970s. Pierre Matisse was also instrumental in re-invigorating his father's reputation after World War II, by giving younger New York artists an opportunity to see some of the most simplified, most expressively succinct works that Matisse had ever done.

Readers who are aware of the gestation of this first full biography of Matisse will recognize that the place of family in the story goes beyond the confines of the book itself. For Spurling's biography is itself a part of the Matisse family saga. Until recently, the family has resisted giving anybody access to the material needed to produce a definitive biography, in order to protect (or so it seemed) the tangled tale of Henri and Amélie's marriage, a marriage that, although extraordinarily close and rich, was weakening by World War I and ended in a legal separation. Spurling does not flinch before the facts, and she brings to every nuance a wonderful humanity—a willingness to see things clearly without stripping lived experience of the half-lights, the nuances, the multiple perspectives that transform the raw neediness of family life into something like true love. Spurling shows Matisse's and Amélie's devotion to each other and to their children, and how this was at once selfless and deeply self-interested, for one's interest in the others also insured their interest in oneself.

For Matisse, the family was at once a bulwark and a ball and chain. Spurling gets at the hyperbolic nature of family life: its echo-chamber aspect, the way that the contemplation of one another's triumphs and troubles can exaggerate them, enlarge them. Writing of the mid-1920s, when Matisse was living much apart from his wife and his grown children, she spins a novelistic image of a family

> pursued by furies, breaking out in blisters and boils, collapsing with kidney trouble, dogged by exhaustion, depression, headaches, nervous tremors, swollen feet, stomach problems, spinal torsions. It felt to the painter as if the further he got from his family's problems, the greater their need for attention and guidance. As the years passed, the plaintive cries in his early letters from Nice—"I'm alone ... my life doesn't change," "Have pity on the old solitaire," "Write to me, Amélie"—changed tone, becoming sterner and more peremptory.

IF SPURLING'S INSISTENCE ON THE centrality of the Freudian family romance in Matisse's experience could not but please the descendants who for so long resisted permitting a writer to tell the story, she has nonetheless made the case with a fullness that is beyond reproach. And she has avoided the sensationalism with which some writers might have been tempted to present the bombshells that have arrived with each volume. The central revelation of the first volume was the catastrophic troubles that descended upon Amélie's parents, Armand and Catherine Parayre, when the extraordinarily wealthy and politically influential couple for whom they worked, Frédéric and Thérèse Humbert, were unmasked as charlatans in a scandal that rocked France, and nearly buried not only Amélie's parents but also Henri and Amélie. The most widely discussed aspect of the second volume has been Spurling's insistence that, contrary to what has been a nearly universal assumption, Matisse did not sleep with the succession of models whom he painted for weeks and months and years at a time, and that even his relationship with Lydia Delectorskaya, the muse of his later years, was platonic. According to Spurling, Matisse made a virtue of abstinence, which he saw as a way of intensifying his pictorial experience of the model. And by the time Lydia appeared, Matisse was on his way to becoming a permanent invalid, following a colostomy in the early 1940s.

Spurling treats all this with a scrupulousness that makes her account feel definitive. And yet her dedication of the first volume to the memory of Amélie does linger in the mind as one reads the second, where the more that Amélie is pushed aside, the more Spurling seems to want to quicken the pace of the story and get to the end. Perhaps the beautiful Lydia was no more than a major-domo; but even if she and Matisse never slept together, it was obviously an intense relationship, and Amélie certainly knew that she had been superseded. Spurling explains that on the day that Matisse died, "Lydia left immediately with the suitcase she had kept packed for fifteen years. Amélie Matisse returned as her husband's widow to resume charge of his work for posterity."

By focussing so insistently on the details of Matisse's relations with his family and his closest friends, Spurling gives us the sense of an artist who is living in the moment; there are passages in her book that feel almost miraculously cinematic. We see Matisse's surpassing egotism. We also see his captivatingly tender feelings for others. When Pierre is divorcing his wife Teeny, Spurling observes that "Matisse, who had always been especially close to Teeny, admiring her courage and independence, loving her generosity, gentleness and humour, was torn between sympathy with her and painful fellow-feeling for his son. Images of breakdown and destruction tormented him at night." The warmth of Matisse's friendships with

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several dozen men are rendered exactly. So is his solicitous interest in younger people, in the early years, when he ran a school with the help of the superb Sarah Stein, who was married to Leo and Gertrude's brother Michael, and in the later years, when men and women with their lives before them were corralled into the household as helpers of one sort or another. Matisse was a great admirer of Michelangelo, and there may be some deep similarity in their psychological makeup, something abashedly human mixed in with the very aloofness of their dedication to their art. Both artists were at once grandly sensual and humblingly ascetic. And both were, as old men, enraptured by the freshness of young beauty, so much so that Matisse's images of Lydia Delectorskaya bring to mind Michelangelo's images of Tommaso de' Cavalieri. It was Donne, in the elegy "The Autumnal," who observed that "Young *Beauties* force our love, and that's a *Rape*."

MATISSE'S ART, WITH ITS spectacular immediacy and its mysterious depths, poses confounding problems for analysis. The intuitive character of his structures and the elusive nature of his themes renders most art historical approaches to the study of forms and symbols pretty much useless. When Spurling writes of *The Piano Lesson* that "the picture cannot be confined to any single source or meaning," she might be writing of any of Matisse's works. Picasso's themes, with their collage of traditional signs and symbols, are far more susceptible to iconographic analysis than anything in Matisse. The analytical cubism of Picasso and Braque, with its thoroughgoing rejection of traditional perspective, can be studied as an inversion of Renaissance norms, using the same tools that one uses to study those norms. But in Matisse's case, the solutions that he arrives at are always confoundingly particular, and tend to be unrelated to anything like a system of ideas. Intuition is his only system.

The writers who have dealt with Matisse most successfully have tended to circle around him, without ever attempting to penetrate to the core. (When you try to penetrate to the core, you invariably come up empty-handed. He has already slipped away.) Some of the best work done on Matisse has a rather dry quality, a sort of businesslike plainness, as if the authors would not presume to speak about his ecstatic emotions. This is true of Alfred H. Barr Jr.'s *Matisse: His Art and His Public*, published in 1951, which established the shape of Matisse's life and related it to the shifting currents of his time. It is also true of the many beautiful pages of analysis in *The Art of Henri Matisse*, the book that the great collector Albert Barnes and his friend Violette de Mazia published in 1933. Pierre Schneider's commanding study, first published in 1984, is a vast philosophic reflection on Matisse's art, almost symphonic in its wealth of themes and variations. Schneider creates a climate that is conducive to our experience of the work; in a chapter entitled "A Time of Cosmogony," he spins a Nietzschian rhapsody that is not so much an interpretation of Matisse as it is a creative response. Spurling's biography, with its focus on the nitty gritty of life, has almost nothing in common with Schneider's boldly speculative approach, except that both writers have been able, in their utterly different ways, to respect the autonomy of Matisse's creations.

At the outset of her first volume, Spurling explains that she is not an art historian, and in many respects this is probably a good thing. One of the fruits of Spurling's long labor on this book was an exhibition called "Matisse, His Art and His Textiles: The Fabric of Dreams," which came to the Metropolitan Museum of Art last summer. This show—which was one of the finest exhibitions of classic modern art to be seen in New York in many years—grew out of Spurling's biographical method, for her essential point was that Matisse's lifelong fascination with textiles was grounded in his childhood, when he had lived in the famous textile producing town of Bohain; both a grandfather and a great-grandfather had been weavers. The exhibition, which juxtaposed works by Matisse with many of the textiles that he had owned as well as with some produced in Bohain in his youth, was beautifully suggestive, and one felt that Spurling's freedom from rigid art historical ideas—about fine versus applied art, about painting versus decoration—was a part of what gave the show its easygoing, suggestive power.

Still, there are times in Spurling's biography when I wish that she had more of the art historian's sense that works of art can themselves be protagonists in the story of an artist's life. Even when Spurling recognizes the importance of an image—I am thinking in particular of the small Cézanne *Bathers* that Matisse owned—she never really stops for very long to describe it, to linger on its implications, to make it as much a part of the story as one of Matisse's flesh-and-blood friends. I wish the biography contained more extended accounts of the importance of African sculpture, of Islamic art, of Byzantine icons, of analytical cubism. In Spurling's biography, these formal revelations can seem less significant than the troubles that Amélie's parents had with their employers the Humberts, and that does not make sense. Later in the story, I would have welcomed a more protracted discussion of the work of Bonnard, with whom Matisse developed a close friendship, and a more expansive discussion of the place of the illustrated book in twentieth-century art. And the story of the chapel at Vence could have been enriched if Spurling had had something to say about the general upsurge in interest in public commissions among modern artists in the postwar period.

SPURLING'S RELATIVE LACK OF interest in the Vence chapel and in Matisse's work in the later decades of his life reflects what is by now the standard art historical view of his career. In nearly all these matters, Spurling has followed the lead of John Elderfield, the curator at the Museum of Modern Art who made his likes and dislikes evident in the massive retrospective that he mounted at the museum in 1992, and has further underscored those preferences in his installation of Matisse's work in the Modern's permanent collection. If there is an unsatisfying aspect to Spurling's deeply satisfying book, it is because she has remained tethered to the now conventional view, the Elderfield view, that the Matisse pictures that matter most are the ones that he did between 1905 and 1918. These are some of the most radically simplified works of the entire career, and the belief in their superiority is grounded in the assumption that art progresses, and so what is most self-evidently different from what has come before is most worthy of praise. Reading Spurling's biography, I kept feeling that she was especially at ease with a work when she could write that it presented a "programme of progressive elimination" or signified an "extreme ... act of will." In the scheme of her book, the successive rounds of simplification and reduction that character-

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ize Matisse's work in the years leading up to World War I are the pinnacle of his art. I think this is dead wrong. Each decade of Matisse's career brought creations every bit as extraordinary. And as a basis for a biography, this idea runs the risk of suggesting that the last thirty-five years of the artist's life were downhill more or less all the way.

The story, as Spurling knows, is far more complex. As I read her account of the 1920s, when Matisse created some of his most scintillating naturalistic images, I felt her reaching to give the work its due. She tries to listen to what Matisse himself was saying, and she seems on the verge of accepting the grandeur of this new turn in his adventure when she observes

> that he was trying to re-conquer ground he had been forced to give up for the sake of simplicity and concentration. Now he hoped to find a way of retaining clarity, concision, and force without sacrificing volume, spatial depth, the individual character and texture of fur, feathers, fluff, fabric or flowers. He returned over and over again to a lace collar, drawing it first in minute detail ("each mesh, yes, almost each thread") until he had got it by heart and could translate it at will with two swift lines "into an ornament, an arabesque, without losing the character of lace, and of that particular lace."

And yet even as Spurling is explaining what Matisse is doing, I cannot overcome the sense that for her this work, however interesting, is somehow regressive. She rarely approaches the paintings and the drawings and the prints of the 1920s and 1930s with the fiery enthusiasm that she brings to the achievements of earlier days.

In Spurling's telling, the first decades bring epochal discoveries, after which Matisse's struggles begin to feel more like some exalted version of business as usual. Nothing could be further from the truth. Spurling is imposing on Matisse's multi-faceted achievement a model of artistic progress that is irrelevant to his art—and to any art of value. It would make much more sense to see the development of Matisse's art as a spiral or a matrix, an overlap of tendencies and obsessions. His counterposed yearnings toward nature and abstraction, toward simplification and complication, do not move in one direction; they move back and forth, in a meandering path. The extreme simplification in the 1910s provokes its opposite, the complication of the 1920s, which in turn provokes a return to simplicity later on. Simplification and complication are not rigid categories but fluid possibilities, and Matisse has the courage to go with the flow.

Which brings us back to the psychological torments that Spurling so affectingly portrays. For if the path were clear—if there were a teleology, a direction toward greater simplification, that were known in advance—such torments would not have been necessary. Matisse was an artist so impassioned in his experience, so full of ideas, so fearlessly analytical, so forceful in his execution, so varied in his results, that we are constantly in danger of forgetting that he was, first and last, a man in the grip of uncertainty. This is what he shares with Giorgione, Watteau, Corot, and Bonnard. The epochal authority of their achievements may blind us to the risks that they took. For each of these artists, and for Matisse most of all, uncertainty was the key—an uncertainty that he embraced as a promise of renewal. ■

Michael Lewis
Bear Hugs

THE LAST COACH: A LIFE OF PAUL "BEAR" BRYANT
By Allen Barra
(W.W. Norton, 546 pp., $26.95)

RAMMER JAMMER YELLOW HAMMER: A ROAD TRIP INTO THE HEART OF FAN MANIA
By Warren St. John
(Three Rivers Press, 275 pp., $12.95)

However unpleasant well-established people and institutions found the social turmoil of the late 1960s, most everyone had it easy compared with Paul Bryant and the University of Alabama football team. In the late 1960s the entire natural order of Southern college football was mocked and subverted. Players talked back to coaches, black players turned up on the other side of the football, and—perhaps most disturbing of all to Bear Bryant—the football was suddenly a lot more likely than ever to be up in the air. In 1964 and 1965, the Crimson Tide, led by its bone-jarring defense, had won the NCAA championship. In 1966 it had finished the regular season 11–0 and, facing mainly white guys running the ball, given up just thirty-seven points. *In the entire season*. But in the very first game of the 1967 season Alabama went up against Florida State and a dynamic new passing attack, and gave up as many points in a game as they had the previous year. As he watched his team routed by a new and vaguely counter-culture-ish enemy, the Bear, as Allen Barra relates, "became so frustrated that he yelled for his defensive coaches to put in a tackle named Ron Durby, whom he remembered as a pretty good pass rusher. 'I want Durby in the game!' he shouted. 'Someone get Durby's ass in there.' An assistant coach named Pat Dye (he later became the head football coach at Auburn) ran up and down the Alabama bench calling frantically, 'Durby? Where's Durby?' Finally, says Dude Hennessey [a former player], 'One of us worked up the nerve to tell Dye to tell Coach that Durby had graduated three years before.' Bryant stood there with his hands on his hips and stared at Dye. After a moment he said, 'I don't give a damn if he *has* graduated. *I want his ass in the game*!' "

It's funny how few good books get written about the passions of people who don't read books. There are vast tracts of human experience that, because of the sort of humans having the experience, go ignored by talented writers. Football is one of them. Even as football has become a national obsession, it does not have much in the way of a literature to show for it. (Baseball, by contrast, won't shut up.) Frederick Exley's *A Fan's Notes*, the book most often trotted out

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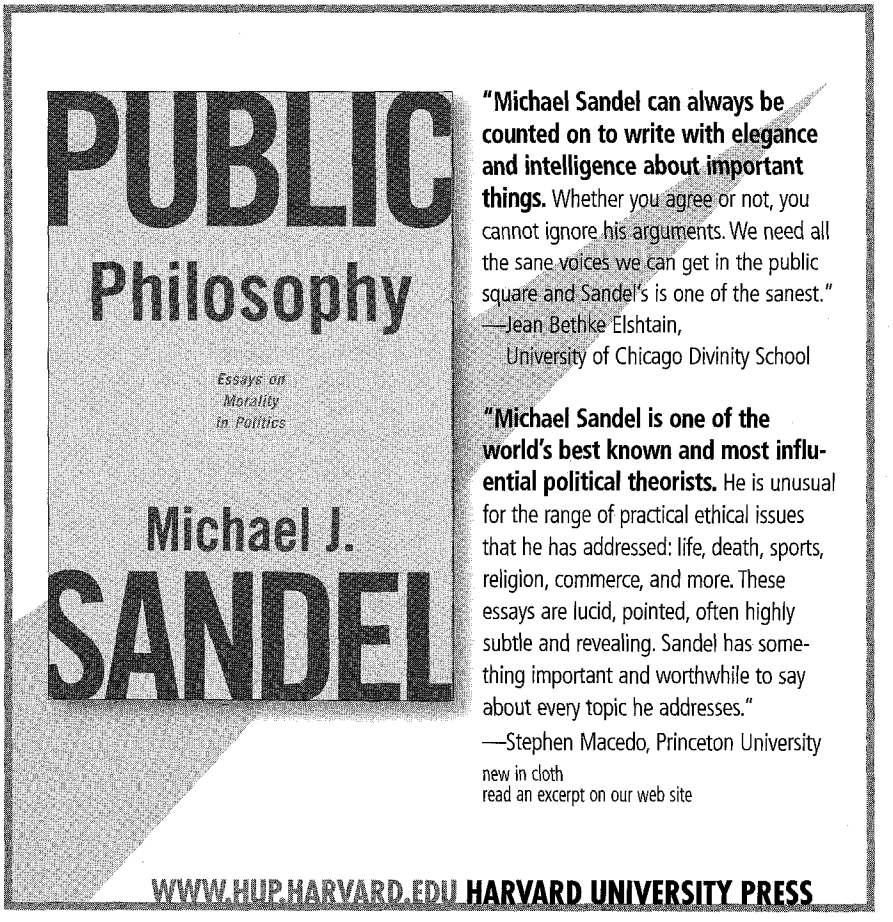
as a counter-argument, proves the point: it does indeed use football as a hook, but it is not about football, or football fans, or anything much other than its author and his drinking problem. Self-inflicted tragedy any literary person can respect; but football is beyond the pale. And so it is refreshing to come across two good books by ambitious writers who go after football, directly and unapologetically. One, published a little while ago, is *Rammer Jammer Yellow Hammer*, Warren St. John's account of a season spent in close study of Alabama football games, and the many fans, like himself, obsessed by the Crimson Tide. The other is Barra's new biography of the coach whom he has admired since he was a boy, and who was most responsible for creating the specific madness St. John lives.

THE LAST COACH IS A REmarkable piece of digging into, and reporting of, a magnificent life story, written at a length more commonly reserved for a Founding Father. (The Bear doesn't become a head football coach until page ninety-four, and not the head coach of the University of Alabama until page two hundred.) Briefly, Bryant was born in Moro Bottom, Arkansas in 1913, and grew up poor and prone to raising hell. He got his nickname when, around the age of fourteen, he stood in for a grown man who didn't show up for a bear-wrestling contest—and fared pretty well, until the bear's muzzle came off. Before it was a career decision to do such a thing, he made his way to the University of Alabama to play football for the Crimson Tide. There he proved to be a better football player than a student and, leaving college, had two career options: to play pro football or to coach college ball. Neither paid very well. He decided to coach. He loved the idea of it.

The career that followed—Bryant was head coach of Maryland, Kentucky, and Texas A&M before, in 1958, winding up at Alabama—is perhaps the most extraordinary in the history of college football. Although two other coaches, Joe Paterno and Bobby Bowden, have now won more college football games, no football leader has had quite the same visceral impact on his followers. Streets and buildings across Alabama are named for Bryant; there is still a club of the many hundreds of Alabamans named for the coach that meets annually. If the state of Alabama was a college campus, Bear Bryant, while he lived, was the biggest man on it. When Fob James was elected governor of Alabama in 1978, he paid a call on the coach. The Bear, who had half-heartedly endorsed James's opponent, received James in his hotel room, in bed—and spoke to the governor as he watched television. (The governor was apparently grateful just for the audience.) At Bryant's funeral, in 1983, a quarter of a million people lined the roads to watch the motorcade that carried his hearse.

Barra's book devotes a lot more time to inspecting the nature of the man than to the secret of his success, but after a while it becomes obvious that the nature of the man *was* the secret of his success. Bryant was not an innovator; it seems from Barra's telling that he was not even especially insightful or curious about the strategic side of football. He was always a step or more behind the clever strategists, and the people who were catalysts for change, but he never let them get so far ahead of him that he was unable to catch up. The Bear clearly had keen instincts of self-preservation and, when resistance began to cost him victories, he bowed to change: integrating blacks into his team, allowing players to wear their hair long, granting more on-field power to his quarterback, studying game tapes of opponents, advancing the ball with the forward pass. Most of them, however, he didn't like. About the only new development Bear Bryant was quick to get out in front of was the television camera. "Every other coach hated us getting so close," a producer of ABC's college football telecasts tells Barra. "Bear loved it. I always thought he had a third eye for the camera; he seemed always to know when it was on him."

BRYANT DIDN'T PUSH THE GAME forward in any obvious way; all he did was inflict his personality upon it. But that personality was so large and overpowering that it more than made up for whatever intellectual edge he might have lacked. (The only actor who could do him justice in the movie of his life, Bryant thought, was John Wayne.) He understood, for instance, that college football, far more than pro football, is a game of talent acquisition, and that if you wanted to win you had to talk the best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players into coming to your school. In college football, a school that recruits the best high school players wins lots of games, and then enjoys an even greater edge in recruiting next year's high school football players. A handful of schools with grand football histories—Texas, USC, Alabama—have long had first dibs on their local talent pools, and they have to really screw things up not to extract more than their share from it.

Bryant, remarkably, walked into several head coaching jobs where he had a natural recruiting disadvantage—where there was a small tradition of sucking at football—and turned them around. He did this by going places other coaches would not, or could not. Moments after Bryant was named the new head coach at the University of Kentucky, he went after a star Kentucky high school lineman named Howard Schnellenberger. Schnellenberger grew up in Louisville, but by the time Bryant got to him he had already committed to attend Indiana University. As Barra writes, "when Bryant's car pulled up in front of the Schnellenberger household, Howard's mother exclaimed, 'My goodness, it's Coach Bryant!' A moment later she called out, 'My goodness! It's Governor Weatherby.'" The governor had Howard at hello, but his mother told Bryant that Howard had given his word to the state of Indiana, and "you have to live by your word." Bryant agreed, and went away, seemingly for good. A week or so later, writes Barra:

> He dropped in at the Schnellenberger's home again, this time with an associate more likely to impress a pious Catholic such as Howard's mother: the archbishop of the Louisville diocese. The priest and the player's mother went for a brief walk. When they returned, recalls Schnellenberger, "My mother said, 'Howard, God wants us to do what is best for you. He will understand if you change your mind and go to Kentucky.'"

And perhaps He did. But upon arrival at the University of Kentucky, Schnellenberger found himself carted away by Bryant, along with 130 other freshman football players, to a kind of boot camp, where they endured football practices more grueling than any had ever imagined. "In bed at night," recalled Schnellenberger, "you'd hear this scraping sound outside your window. The first couple of times we got up to look and saw it was guys escaping, sliding down the drainpipes."

This was the Bear's second distinguishing coaching trait: how hard he was on his players. He had a great capacity for inflicting pain, as he did of enduring it himself. (He played one game in college with a broken leg.) His players make it clear that, after a Bryant practice, a football game was a trivial event. "He didn't measure you by your talent," one of Bryant's former players tells Barra, "but by your desire. To him, the game *was* practice. You practiced harder and better than the other teams, you won." Barra offers too many illustrations to count of the Bryant theory of football life: unless you go too far, you have not gone far enough.

There is the story of Joe Drach, who played for Bryant in his first and only year as head football coach at the University of Maryland. Drach had come off the field at the end of the first half with what was obviously a broken hand.

> Bryant pulled Drach's hand over to look at it, as if to be sure there really was a break. "He looked like he wasn't too sure," recalls Drach. "He told one of the assistant coaches, 'Tape it up.' I was stunned; I knew that meant he expected me to play the second half. I said, 'Uh, tape it . . . up?' He grabbed my arm and pressed it against the wall, and pushed until the bone popped back in place. They told me later I passed out." He played the second half. Later Bryant said "Joe I had to do that. We would have lost without you."

Bryant had a talent for talking players into playing for him. He had a willingness to work them as hard as human beings can be worked for the sake of a game. But his real gift, it appears, was for autocratic rule. Bear Bryant would have made an excellent Third World dictator, or, with a bit more book-learning, chairman of the Federal Reserve. Barra describes, over and again, the many battles Bryant fought over questions of his authority, until he made it clear to all concerned that there was a lot more to be lost than gained by the questions.

BARRA WANTS TO MAKE THE case that Bear Bryant was the last of his kind, but to me he feels more like the first. When he began coaching college football, there was apparently some doubt about the limits of his powers; some college presidents were still under the impression that the football coach worked for them. Bryant cleared that up in his first head coaching job at the University of Maryland. Toward the end of an improbably successful first season, the president of the university stepped in and re-instated a player whom Bryant had suspended for breaking curfew, and fired one of Bryant's assistant coaches. Bryant simply quit, and left behind a lynch mob of football fans chasing after the university president.

The next year Bryant moved to Kentucky and made an even more improbable success of it. Before, and after, the Bear coached its football players, the University of Kentucky was the punching bag of SEC football; watching Kentucky play another SEC team is like watching an S&M act. After three years, Bryant had Kentucky contending for a national championship. But then he saw that he would not be allowed to wrest control of the athletic programs from the Kentucky basketball coach, Adolph Rupp, and he quit that job, too.

From there he went to Texas A&M, where he established so quickly who was in charge that he never again in his career needed to make the point. In his first year, the Aggies' best lineman, whom Bryant could scarcely afford to lose, stormed off the field in a huff. The player disapproved of the new coach's grueling practice schedule. But he had quit before, and had always allowed the coaches the chance to snuggle up to him, and coax him back onto the field. When Bryant refused to do this—Bryant told the player not to bother to come back, even if he changed his mind—a group of outraged players demanded a meeting. "Bryant defused the mutiny by avoiding a confrontation," writes Barra. "He agreed to meet with them, and that was all. And meet with them he did. 'Good morning gentlemen,' he said, and then, shaking each boy's hand, 'Goodbye, goodbye. Bless your hearts, goodbye.'"

That first year his Texas A&M team went 1–9. The Aggie faithful grumbled, and doubted. Bryant sent them a message, through an intermediary. He said, "Tell them when I started last spring I got a lot of nice alumni coming around asking me, 'How's our team doing, Coach?' They still come around but now they say 'How's your team doing Coach?' Well, I want them to know I accept this team. It's mine now, and I'm proud of every player

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on it. And if I catch any one of them (the boosters) not giving 100% they will be disassociated immediately from the outfit." The next season the outfit went 7–2–1; and the season after that, 1956, it went undefeated, with a single tie. (And threw only thirty-eight passes all season.)

When, at the end of the 1957 season, Bryant left for Alabama, there does not appear to have been anyone left in Texas with the nerve to take him on, at least directly. By the middle of his career Bear Bryant had ascended to a position above not just the university president, and the university itself, but the laws of the state in which the university was located. Barra writes of an automobile trip that Bryant took with his assistant coaches across Alabama in search of prized recruits. As the Bear napped in the back of the car, recalled one of the coaches in the car, "Billy [Varner, one of Bryant's coaches] ignored the speed limit getting us home, and we got nailed by a state trooper. Coach woke up when Billy started to slow down and asked what was the problem. Billy told him they were about to get a ticket. Coach took off his houndstooth hat and put it in the back window and went back to sleep. The trooper never stopped us."

An odd thing has happened in American higher education. The university has abandoned its original ambition to shape the character of its students, but its football coaches keep insisting on ever more control over those characters—and over much else, too. Bryant was a leader in this movement, and Barra would say that most of what he did was for the greater good. "Instead of grooming his players to become pros," writes Barra, "for thirty-eight years Bryant coached as if he had a sacred obligation to make their lives better for having played football for him." And there is evidence that he did just this. (There is also evidence that a few players did not perceive the nobility of his motives.) "He felt college football should get you ready for life," his former player Jack Pardee recalls.

> He'd say, "What are you going to do when you're thirty-five and you lose your job and you come home one day and your kids are sick and your wife has run off with the shoe salesman? What are you going to do then? If you quit in the fourth quarter of a football game, what's going to keep you from quitting then?" Well, by the time I was thirty-five all those things had happened to me, except the part about my wife and the shoe salesman. Because of the things he taught me, I was able to fight cancer and win. That was my fourth quarter.

Just as most everyone else inside the university was abandoning their foxholes for the rear, the coaches were launching a counter-attack and seizing new ground; and Bryant was at the front of this movement, too. The Bear once famously said (or college football coaches I know are fond of quoting him, approvingly, as having said) that "we want to have a university that makes our football team proud." St. John quotes a college football oddsmaker, speaking to a group of Alabama boosters, arguing that "anytime you can name the head of a university before you can name the head football coach, you've got a problem at that football program." If the idea of that bothers you more than it does the Alabama boosters—and St. John's Bama boosters nodded right along—I'm not sure you have the coach to blame for your displeasure. You can't hire a man programmed to win at all costs, and then expect him to take a dive.

Like Allen Barra, Warren St. John grew up in Alabama, and, like Barra, he has written a book that might as well be titled *As A Boy I Watched Bear Bryant's Crimson Tide And Never Fully Recovered.* Northern readers are here forgiven for thinking that the whole point of growing up in the South and going to some fancy East Coast school, and then working for some fancy East Coast newspapers, is so that you can describe, in a fancy prose style, the superiority of Southern anti-intellectualism. (*Rammer Jammer Yellow Hammer* opens with a cherished photograph of the author, as a boy, with Coach Bryant.) But St. John's book is an admirable attempt to give a particular voice to something that isn't particular: a mob of football fans. This he does by purchasing a crappy beat-up old recreational vehicle and driving it around the South, in pursuit of Alabama football and the shockingly large group of people who drive their own RVs to every Alabama football game. If there is anything more important in these people's lives than the Crimson Tide, St. John cannot find it. Here is the social impulse that bestowed such power upon Bear Bryant, and continues to bestow great power on winning college football coaches throughout the land. Here is The Beast.

College football fans are one of those sociological mysteries hidden in plain sight. As St. John points out, the sort of people—mostly white, mostly non-athletes—who define themselves by their allegiance to University of Alabama football players—mostly black, mostly unknown personally to their fans—do not have much in common with enthusiasts in most other spheres of interest. "When a carful of Eminem fans passes a car with a Kenny G bumper sticker on the highway," writes St. John, "they don't roll down the windows in a rush to give the cool-jazz fans the finger. Being a music fan is its own end. Being a sports fan, though, is as much about opposing as advocating. To like one team is to dislike others."

There are many obvious pleasures to be had from the mob experience: of belonging to a community united by a common enemy, of having other people fight your battles for you, of having your drama defined for you rather than

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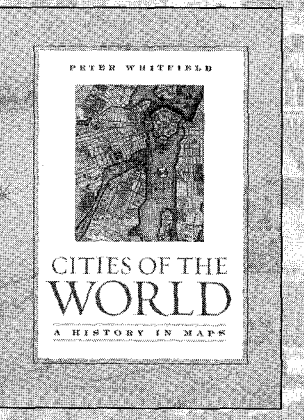

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having to dream it up yourself. St. John gets to all of this and more, without being pretentious about it. His achievement is to get down on paper the texture of the insides of a college football fan, with a touch that is more effective for its lightness.

If there is a problem with his book, it is the problem with most self-conscious gonzo adventure writing: in a lot of places it feels contrived to generate material rather than to satisfy some deeper purpose, such as, say, the writer's genuine interest. When a guy sets off on a hellish trip he doesn't have to take, and then figures out ways to make it even more hellish, you have to work to forget that the only reason he is making himself so miserable is to get a book out of it. But once you get past the faint aroma of literary desperation there is a lot of pleasure to be had, and a lot of it does indeed arise from the author's misery. Plus St. John can write. Here is his reaction to a move, late in the season, from his place with the mob in the stands to the press box:

> The view from inside the press box is new to me, and not altogether pleasant. Looking down into the stadium, effervescing with color and sound—the crowd, the bands, strains of "Sweet Home Alabama" ricocheting off the bleachers from the cheerleaders PA system—is like sitting on the rim of a champagne glass and not being allowed to sip.

THERE IS A CERTAIN KIND OF person, usually a male person, who, to access his emotional life, must travel through the red zone. Both these authors, it would seem, are that kind of person. St. John's book is openly, and charmingly, partisan; Barra's is more cagily so. Sports writers, like sports fans, benefit from the illusion that there is someone out there worthy of their contempt. For Barra, a *Wall Street Journal* columnist who has passed much of his career in sniffing distance of the high falutin', the enemy would seem to be some snooty member of the cultural elite who questions the depth of the Bear, or his ultimate goodness. *The Last Coach* devotes plenty of space to Bryant's more troubling side: to allegations that he paid players (probably true), that he taught players to play dirty (probably false), that he drank too much (clearly) and cheated on his wife (probably true), that he conspired to fix a Bama football game (certainly false). Yet the reader is placed in the position of the defendant's blood relation, who has come to the trial prepared to discount the unpleasant testimony for the sake of a larger truth.

"What will matter," writes Barra, toward the end of his story, "what will endure about Bryant, will be the legacy he left behind of the power of simple adherence to good principles." He carried a devotional in his wallet that read:

> This is the beginning of a new day.
> God has given me this day to use as I will.
> I can waste it or use it for good.
> What I do today is very important because I am exchanging a day of my life for it.
> When tomorrow comes, this day will be gone forever,
> Leaving something in its place I have traded for it.
> I want it to be a gain, not a loss—good, not evil.
> Success, not failure in order that I shall not forget the price I paid for it.

"The sophisticated are ill-advised to sneer at these words," Barra warns, before adding that he himself carries around in his wallet a copy of the Bear's devotional, given to him by the Bear's grandson. Finally *The Last Coach* is a biography of a cult leader, written by one who aspires to belong to the cult—and a good thing that is. Indeed, both of these books benefit from their authors' willingness to take occasional leave of their journalistic senses. They have an obsession that allows them to creep closer to the truth of the matter than if they were dispassionate accounts. You cannot really understand a terrifying regime unless you feel something of what the people felt who submitted to its authority with pleasure. ■

Simon Blackburn
Is That All There Is?

TRUTH AND PREDICATION
By Donald Davidson
(Harvard University Press, 180 pp., $29.95)

DONALD DAVIDSON IS NOT widely known to the public, but he was one of the most influential philosophers of his time. He died in 2003. He was working on this book at the time of his death, and it has now been seen through publication by his widow. It is a collection of lectures (the first three being his well-known Dewey lectures, delivered at Columbia University in 1989) and although there is a thematic unity between them, they can also be read profitably as individual essays. The academic essay was Davidson's preferred form; he produced no monograph or book. His many influential papers form his philosophical legacy. They tended to be uncompromising in their difficulty, and unfortunately those in this collection also presuppose a good deal of philosophical background. And yet Davidson's work has a claim on more general attention. Richard Rorty has compared Davidson to Wittgenstein, and predicted that a couple of centuries from now historians of philosophy will be writing about the changes in the human self-image that he brought about.

An air of profundity enfolded in forbidding technicality: this was Davidson's trademark. Back in the 1970s, his name was everywhere. In many circles he was not only the most influential living philosopher, he was something like a one-man church. Born-again disciples would abandon hitherto cherished problems and projects in order to sign up for baptism. To have attended his lectures, or the lectures or seminars of his few accredited apostles, became a necessary sign of grace. Unbelievers kept a low profile, and were met not so much with arguments as with the pitying contempt that

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the initiated bestow on the unconverted.

Few had the temerity to ask what the Davidsonian fervor was all about. It was known that the church had a sacrament called Convention T, reverently worn as an amulet, sovereign when shaken at heresy or doubt, and itself derived from the Polish prophet Alfred Tarski. But beyond that not very much was clear. And Davidson's writings afforded no easy points of entry. Still, the Davidsonic boom, as it was irreverently called, continued to sound, and it has continued to grow in volume.

DAVIDSON CERTAINLY MADE serious and imaginative contributions to the philosophy of mind, where a position that he first put forward, known as "anomalous monism," is now a salient landmark. It was provoked by the difficulty of understanding "the efficacy of the mental," or how the mind can affect the brain and body. This in turn Davidson interpreted as the difficulty of holding together three thoughts. The first is that mental events indeed cause physical events: it is because you recall your ineptitude that you blush, or because you want milk that you visit the kitchen. The second is that where there is causation, there is law-like connection: one kind of event causes another when there is a law of nature linking them. The third is that there is nothing law-like about the mental and the physical. There is no law that remembering ineptitude makes people blush, or wanting milk makes them go into a kitchen. Often it depends on what else is in a person's mind.

These three thoughts are obviously hard to hold together, and at first sight they seem inconsistent. Davidson's ingenious solution was to suggest that mental events are nothing but physical events (hence, monism), but that the mental description imports a vocabulary for describing them that is unsuited for occurrence in physical laws (hence, anomalous). There will be a law connecting the neurophysiological event that is the memory of ineptitude with the physiological changes that issue in a blush. But the law will be framed in terms of cellular changes, transmitted impulses and changing chemicals, not in terms of memory or ineptitude. This ingenious suggestion ramified into general accounts of the way in which the mental causes the physical, and hence the question of whether reasons are causes; and this in turn affects how we think of explanation in psychology and history, and eventually how we are to think of ourselves as part of the natural world.

This idea illustrated Davidson's undoubted capacity to take an old problem, turn it around in an original way, and bring out far-ranging and ambitious implications of his new approach. It also, some would say, illustrated something less satisfying. There is room for doubt whether the new solution quite matches up to the original problem. The efficacy of the mental may seem not so much protected as lost in Davidson's account, for the fact that the neurophysiological event *is* the memory of ineptitude (and what kind of fact is that?) evidently plays no role in the ensuing train of changes. Or so critics argued.

BUT THE LECTURES IN THIS posthumous collection concern Davidson's other central interest, the philosophy of language, the part built on Convention T as the rock on which the church was founded. What this means can be introduced with a toy example. How does the Roman system of counting work—the system using symbols like I and II, but also V and X and C and D and M? As beginners, we just learn it. We "cotton on" after a time, and then when a book has "MDCCXLIV" on its title page, we know its date. There are rules, sure enough: it is not just accidental or inexplicable that this sequence of letters refers to 1744. Yet it is not easy to write down the rules explicitly. If we wanted to do so—say, in order to program a computer to tell us in the ordinary Arabic notation what any sequence of Roman numerals stands for—we might start by saying what the individual letters stand for (the letter "I" in Roman stands for 1, "V" in Roman for 5, and so on), and then find a way of expressing the result of putting them together, so that "IV" stands for 4, and "VI" for 6, and so on. In Roman it is a little complex, since sometimes putting them together ("concatenation," as it is called in the trade) results in subtraction (as in IV) and sometimes addition (as in VI). But it is not very difficult to tease out the system in this as well, and when we have finished we can point proudly to the result, and say that now we know, explicitly, how Roman works.

The same task can be set for our own Arabic notation, and it is a bit easier. There are the ten digits: 0, 1 … 9. We can write down what each of these refers to. And there is basically one rule, which is that if you concatenate a sequence of digits with another single digit on the right of it, the result is ten times whatever the original referred to, plus whatever the right-hand digit refers to. Applying and re-applying this rule enables you to say explicitly what any numeral expression of whatever length refers to. (This process is called "recursive." One of the nice things about all this is that it gives you a hefty technical air. If you describe the Arabic notation using the very same notation itself, the result is called "homophonic," which also sounds pretty serious.) And that's how the notation works. That is why it is not a miracle that the sequence 15234 refers to fifteen thousand two hundred and thirty-four. If we had spoken differently—if, for example, the sign "4" had been used for the number of hands human beings have, instead of the number of legs dogs have—then the longer numeral would also have referred to something different.

Numerals refer to numbers. That is what they are for. But sentences do not refer to things. Instead they say things that are true or false. So we cannot immediately generalize from our toy example to the sentences of full-blown lan-

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guage. The great logician Alfred Tarski suggested that we could do something parallel, if we could write down a rule that enabled us, faced with any arbitrary sentence that the language enables us to form, to calculate when it is true. The rules would again work by applying and re-applying to the results of concatenating simple components of a language. (As Quine put it, we are chasing truth up the tree of grammar.) And just as we said we would understand Roman when we could calculate what any arbitrary sequence of numerals referred to, so Tarski proposed that we would understand something important about how a language works if we could calculate for any arbitrary sentence under what conditions it is true. You would satisfy Tarski if you had a program enabling you to compute, for any French sentence whatsoever, a result like this: *la neige est blanche* is true in French if, and only if, snow is white. Tarski called this satisfying Convention T, and the individual results, such as this one for *la neige est blanche*, are called T-sentences.

Satisfying Convention T sounds like a reasonable goal, for if some sentence escaped your net, then your rules would not enable you to determine under what circumstances it is true, and to that extent French would be outstripping your understanding of it. More impressively, Tarski called this "providing a definition of truth which satisfies Convention T," for that particular language. His choice of words is arguably a pity, since it carries the sinister implication that the definition of truth for one language is going to be different from that of another, and this may ring philosophical alarm bells. As it stands, the innocent activity of finding a parallel, for a language, of what we so easily found for Roman and Arabic, has no such dark implications. If we said that what we had done was to define "reference to a number" for Roman and for Arabic, we would be misleading ourselves if we went on to conclude that reference to a number was "something different" in the Roman and Arabic worlds. What we have done is to discover how they each do it, but what they each do may be just the same, and similarly the truth that snow is white is the same on either side of the Channel, or the Atlantic.

It proved pretty difficult for logicians to provide rules satisfying Convention T, even for quite simple and artificial languages. For good but complicated reasons, Tarski needed to work in an oblique way, and he himself was pessimistic about extending his methods to the languages that we actually use, which contain nasty complications. All this provided an exciting playground for logicians. And their house jargon—"concatenation" and "recursive," and also "satisfaction," "sequences," "metalanguage," "finitary methods," "hierarchies," "atomic sentences," and many others—proved irresistible to philosophers, as dazzling as the latest bling and strutted every bit as proudly. By laying down Convention T, Tarski had done something very interesting. The only problem for philosophers was to decide what it was.

WAS IT—HOLY OF PHILOsophical holies—nothing less than a new and scientific answer to Pilate's question, "what is truth?" Not quite, urged caution. Go back to our toy example. Thinking of ourselves as having defined "reference to a number in Roman" would be a bit off-color. From Pythagoras and Plato onward, philosophers have regarded reference to numbers as one of the great mysteries, right up there with Pilate's question. How do we know anything of timeless, changeless, abstract entities such as numbers? Why is that knowledge useful? We would not deserve much of a hearing if we leaped into the marketplace in Athens waving our rules for Roman and Arabic, and advertising them as solutions to those problems. The reason is obvious enough: our rules simply take reference to numbers for granted, both for individual letters or digits, and for sequences of them. Similarly, Tarski's critics insisted that he did not enable us to answer any interesting questions about truth itself. His methods take truth—and its close cousin, the satisfaction of predicates (such as "is red") by things (red things)—for granted. He shows only what counts as the answer to questions about the structure of language—a valuable topic, but a different one.

Tarski himself, writing in the heyday of positivism (his great paper was published in 1933), hinted that he was not sure that there was a "problem of truth" beyond the kind of problem that can be tackled by his methods. This may seem strange. Why should Pilate's question be supposed to go away? The clever idea is that when Pilate asks "what is truth?" we reply: "you tell me." That is, you tell me which sentence you are interested in (for instance, *la neige est blanche*) and we will tell you what makes it true or what would make it true if it is false, by repeating the T-sentence, derivable from our understanding of the structure of French: "*la neige est blanche* is true if, and only if, snow is white." End of story. There is nothing further to be said in general about truth. This is called deflationism. It is exactly as if you went to the marketplace in Athens and really did ask Plato and Pythagoras: "You want to know about reference to numbers? OK, give me a numeral." And they give you 3451. "Right," you say—now a drum roll, as you perform the computation—"'3451' in Arabic refers to 3451. There is nothing further to say."

The penultimate sentence gives no news that you could not have worked out for yourself as a competent speaker of your language, so the last sentence seems especially outrageous. But Davidson is attracted by this haughty and dismissive attitude, and he shares the most important part of its ideology. The part he shares is that if you say "what makes a sentence true" by giving its T-sentence, you do not mention facts, states of affairs, human minds, what science is fated to agree upon in the long run, human utility, or anything else that traditional theories of truth have brought into the picture. You do not have to repair to those things, since you simply use one sentence to describe when a given sentence is true. Davidson believes that this slays a host of philosophical dragons.

CONSIDER THE WAY DAVIDson's theory of truth bypasses reference to facts and states of affairs. It has always been tempting to think of true sentences as "corresponding with the facts," and if we take this seriously it suggests some kind of mapping, whereby elements in the one structure, the sentence, correspond to elements in another structure, such as things and their properties, making up facts. But this soon runs into troubles, many of which are the subject of the insightful chapters in this volume on predication. If a sentence is just a concatenation of words, together picturing a fact, how does anything actually get asserted? There is a gulf between saying that Socrates is wise and merely picturing Socrates in some relation to wisdom. And the whole idea of a fact as some kind of structure is doubtful. As Wittgenstein remarked, if facts were structures,

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then they might have a location or move about, but they do not. So what a relief it is to be able to remove all the difficulties, by simply using one whole sentence to describe when another is true. Then we do not have to say that sentences "correspond with" or refer to anything at all, but give their meaning in the quite different way that Tarski has shown us.

One might protest that if you say "what a numeral refers to" by giving the equivalent of its T-sentence—"3145" refers in Arabic to 3145—you do not invoke abstract entities, Platonic eternal structures, human minds, formulae, proofs, or anything else that traditional theories of number have brought into the picture. Yet surely this is only a temporary respite. After all, we haven't yet asked what your own understanding of the numeral you use to interpret Roman, or Arabic, requires. Perhaps it brings you into the territory of these old dragons. So declaring them slain might be a result of putting the telescope to a blind eye, rather than anything else. Among beleaguered philosophers, though, any excuse for advertising the twilight of the dragons can be tempting.

IN THE END, DAVIDSON DEMURS from deflationism, but for a different reason, which introduces the last element needed to understand his philosophical habitat. When we wrote that *la neige est blanche* is true in French if and only if snow is white, what we said could be construed in one of two ways. First, it might be an empirical remark about an empirically given system of sound and writing, one with a history and long evolution, used by a particular people in a particular place. If the history and the evolution had been just a little different, it might not even have been true. But second, and quite differently, we could construe it as a stipulation, part of the definition of an abstract structure, to be called French, which might or might not be the language actually used by anyone, either on this planet or anywhere else.

The great Rudolph Carnap was the first to be really clear about this distinction, back in 1942, when he called it the distinction between applied semantics and pure semantics. But almost everyone has been muddled about it ever since. Indeed, this collection begins with a long-winded engagement with the difference. Eventually, and in spite of some false steps, Davidson fights his way to the side

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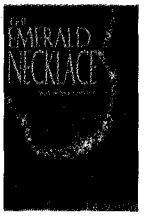

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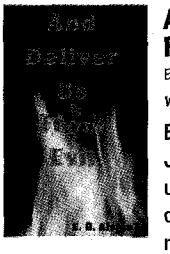

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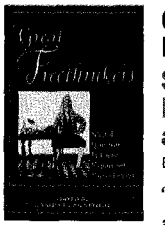

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of the angels, although he is not nearly as clear as Carnap. He recognizes that if you take the second route, empirical questions do not go away. They simply become framed as the question of whether the structure you now have, together with the rules for generating T-sentences for it, is rightly regarded as the actual language of any given group in a given place and time. That is indeed an empirical question—and solving it is enough to give an interpretation of the group. It is saying which abstract structure, described à la Tarski, deserves to be called the language they actually use. For comparison, go back to Roman. We could stipulate in dozens of ways how letters are to refer to numbers, and give dozens of different formulae for the result of concatenating them. Only one of those zillions of possibilities gives us the abstract structure actually used by the Romans.

HERE IS WHERE DAVIDSON found his epiphany. Philosophical labor now splits into two. First, explore the abstract structures, after serving a long novitiate under Tarski, and extend his methods to include apparently intractable structures thrown up by natural languages. That is the technical program, which was pursued with limited success by many philosophers of his day. And second, think what is involved in giving the interpretation of a group by associating them with just one such structure. So Davidson urges that there is something further to say, something that Tarski has not told us. In the case of numbers, you need to say what makes it reasonable to interpret any empirically given group as using the Arabic notation. How do we know, for instance, whether they use the symbol "5" to refer to the number of fingers on a hand or the number of hands on an arm? How do we know that the result of concatenation is always calculated to base ten, and not occasionally to base eight? Similarly in the case of language, what can make it reasonable to select just one abstract structure out of all the zillions of possibilities to describe them?

The answer to this might seem to be best given by looking at developmental psychology, for whatever else we know about language, we know that human beings learn it. The trouble is that we do not know that much about how we do it. So perhaps the method is better studied by imagining a self-conscious adult interpreting the speech of others. Hence, closely following his mentor Quine, Davidson dramatized the process in the heroic figure of the radical interpreter, the lone anthropologist without benefit of dictionaries or help from bilinguals, who sets himself the task of interpreting the speech of another people. In this way the topic shifted from truth to meaning and understanding.

Three things seemed clear to Davidson about the method of radical interpretation. It has to be empirical: the interpreter has nothing to go on but what can be observed of the behavior of his target group. It has to be holistic: he will be solving for many elements simultaneously, and a choice made in one place will affect what is to be said in other places. And it has to proceed under a principle of charity: unless the interpreter supposes the group is generally in touch with the world and what is true about it, he cannot proceed. Empirical sobriety, holism, and charity are what it takes to speed interpretation on its way.

An old-fashioned metaphysician or philosopher of mind would question the value of the whole approach. He might say, as the philosopher David Lewis said, that all this might tell us how we determine the facts, but it does not tell us how the facts determine the facts. Davidson may tell us how we manage to salute others as like-minded with ourselves, but that seems a good deal easier and less exciting than discovering how we or others come to be minded in the first place. Reverting once more to our toy analogy, it is not too difficult to see how to set about interpreting some target group as counting in Roman, but that is not yet to understand how we come to think of eternal abstract objects such as numbers, or even whether that is a sensible description of what we actually do, nor is it telling us much about whether in mathematics truth is dependent on proof, or how much of it there is, or indeed anything else. And declaring such questions to be old hat, finally transcended or overcome by a new emphasis on interpretation, seems at best premature, and at worst a naked takeover bid.

In fact, over the last twenty years, skeptics and apostates from the Davidsonian church have recognized that the interpreter's own understanding is a dragon that remains unslain, grinning and mocking this approach to meaning and interpretation. This is actually in addition to the complaint that the whole edifice is a bit rickety, since if meaning is a satisfactory notion, explained by the method, then this undercuts the need for the logical austerity given by insisting on the ubiquity of T-sentences in the first place. Please do not panic if that does not immediately make sense to you, since very few philosophers noticed it either.

BUT FOR DAVIDSON EVEN THIS was just the overture, and easily forgotten after the real rout of the dragons began. For the truly amazing thing about Davidson's philosophy was the amount he managed to extract from his simple thoughts about interpretation, or rather from these simple thoughts coupled with a resolute policy of declaring anything on which they have no purchase to be thereby obsolete—nothing but old philosophical phantoms. It turns out that if the method of interpretation is declared to be our only avenue to raising and solving questions about meaning and truth, quite a lot becomes obsolete.

All questions become public questions, so no problem of a connection between meaning and consciousness remains. Davidson argues that only interpreters need the concept of belief (to "take up the slack" between how the interpreter sees the world and any divergence on the part of his subject), but that without such a concept thought is impossible. Skepticism is conquered, since the method of charity ensures that an interpreter will always take us to be saying and thinking things that are mostly true. There is no possibility of declaring anyone to be mostly wrong about most things most of the time, and hence we are ourselves are not so deceived, and Descartes's *malin génie* is finally vanquished. Tarski had denied that semantics was a system for determining that everyone

The Catch

The tick you hear
is the heart-valve's catch,
holding back the wrong
traffic of blood;

this click is the notch in a run
of iron, and love is a ratchet
that slides only one way,
and cannot return.

ROBIN ROBERTSON

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except you and your friends is talking nonsense, but Davidson overcame any such inhibitions, arguing that there can be no divergent conceptual schemes, since if an interpreter is faced with something that he cannot get hold of by the certified methods, then he has to declare it incapable of truth or falsity, or incapable of meaning at all.

In this way the relativism of different ways of thought, different conceptual systems, is abolished. So Davidson affirms the hegemony of contemporary American more triumphantly than Dick Cheney could dream of, since if a way of thought cannot be interpreted in these homely terms, this shows that it was not thinking after all. This marks the death of any notion of a conceptual scheme, since there is only the one way of thought. And empiricism itself is put in its grave, since it works in terms of conceptual schemes and their content, and now the very idea is abolished.

NOBODY COULD SAY THAT Davidson's arguments for these grand conclusions were watertight. At their best they depend upon some kind of principle of verification, declaring possibilities we cannot comprehend not to be possibilities at all. Beyond that, they depend upon apparently arbitrary restrictions on what the interpreter might learn, and upon turning a blind eye to detailed objections, or to the residual problem of how the interpreter understands things in the first place. In some cases, such as that of animal thought, there seemed to be little more to the argument than free association of ideas.

So how did the church of Davidson triumph? Philosophers think of themselves as the guardians of reason, intent beyond other men upon care and accuracy, on following the argument wherever it leads, spotting flaws, rejecting fallacies, insisting on standards. This is how we justify ourselves as educators, and as respectable voices within the academy, and even in public life. But there is a yawning chasm between our self-image and our practice. It is in fact a great mistake to think that philosophers gain their followings or their reputations mainly by means of compelling arguments.

The truth is the reverse: when the historical moment is right, people fall in love with the conclusions, and any blemish in the argument is quickly forgiven. The most outright fallacy becomes beatified as a bold and imaginative train of thought; and obscurity actually befits a deep original exploration of dim and unfamiliar interconnections; and arguments that nobody can follow at all become a brilliant roller-coaster ride toward a shift in the vocabulary, a re-formulation of the problem. Follow the star, and the raw edges will easily be tidied up later. The result was nicely put by Bacon nearly four hundred years ago: "The human understanding is not composed of dry light, but is subject to influence from the will and the emotions, a fact that creates fanciful knowledge; man prefers to believe what he wants to be true."

To benefit from this kind of charity, you have to catch the tide at exactly the right moment. Davidson did so. Ever since the 1950s, or even before, the tide had been running his way. Wittgenstein, various Oxford philosophers, Sellars, and Quine had all inveighed against the privacy of meaning, against the conception of mind that gave rise to Cartesian skepticism, and against the myth of the given at the heart of empiricism. Even before them, philosophers such as Husserl, Heidegger, and Sartre, and also Collingwood in England, thought that the "intentionality" or "world-directedness" of the mind reversed the priority given to our subjective mental space in the Cartesian and early modern traditions. The time had come for a revolt against the idealist or skeptical dissociation between the mind and its world that had obsessed philosophers for hundreds of years.

This behaviorist (or anti-privacy) agenda was part of the spirit of the age, and many philosophers besides Davidson were ready to swim along. Davidson was not cynically exploiting this spirit, but he was caught in the tide along with some of his most able contemporaries. And his expository abilities, with the nicely puzzling mix of promised insight and intimidating technicality, fitted him to be the perfect spokesman for the movement, the heir to Wittgenstein and Quine. By harnessing all these energies, and decorating the result with the incense of serious logic, Davidson could found his church.

It is too early to say whether the church will last. There are many philosophers who find that there is yet life in quite a few of the ancient dragons. But it is quite possible that Rorty is right, that the church will last two hundred years. After all, it promises philosophical salvation, a world free of dragons. Who would want to resist that? ■

CORRESPONDENCE

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FORGOTTEN WAR

LAWRENCE F. KAPLAN'S PIECE brought back all the other inevitable attacks on the antiwar movement of earlier decades ("Mall Rats," October 18). His ilk never sees anything but the so-called freaks, the extremists, the fringe element. But his observation that college kids did not appear well-represented was a depressing and probably accurate perception. The campuses are quiet, and they reflect the general feeling in this country that the war is somebody else's business—mostly poor and uneducated kids from the small towns of America.

MICHAEL WRESZIN
New York, New York

RICE ERRONEOUS

THE CURRENT CAMPAIGN TO MAKE Condoleezza Rice into a presidential candidate in 2008 is likely to founder on her record not only in foreign affairs, but in domestic politics ("Cultivated Rice," October 31). She has promoted an obstructionist and pro-Arab policy in her dealings with Israel, to the extent of berating the top diplomats of the Jewish state, insisting that Israel must be more forthcoming with major concessions to the Palestinian Authority while the intifada continues unabated. She has also managed to alienate part of her own base, as she has divorced her agenda from the mainstream black community. While there may be some who agree with her views regarding both foreign and domestic policy, she certainly is not favored by a substantial segment of both the Jewish and black communities.

NELSON MARANS
Silver Spring, Maryland

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RANCHO MIRAGE DIARIST

Highlight Reel

THIS IS GERALD FORD'S time of year—football season in a nonelection year, when he can concentrate on the games. He knows that the University of Michigan, his beloved alma mater, is six and three and that the Wolverines beat the Spartans 34–31. He's led a long life; he's 92 now. He survived Squeaky Fromme, football without a helmet, and assorted other stray hits—political and athletic. I went to see him in his office in Rancho Mirage, in the California desert. I like sports—I make my living writing for *Sports Illustrated*—and I came to the thirty-eighth president of the United States curious to learn this: Late in his fourth quarter, which games lingered most vividly in his mind: the ones he played with his fellow pols or his fellow ballers?

FOOTBALL WAS HIS BEST SPORT. HE WAS a bench player on two undefeated Michigan football teams and the MVP of a terrible one. Golf was his worst. He's still at it, though, playing a quiet six holes from time to time, in a cart. A minor stroke at the 2000 Republican National Convention seems not to have slowed him down mentally. And, still, he's an athlete. He swims most every day, his slappy crawl showing more resolve than strength, his Secret Service detail doubling as his lifeguards. The boys all speak football, too.

IN HIS COLLEGE DAYS, FORD PLAYED IN two celebrity football games: the East-West Shrine Game in San Francisco and the *Chicago Tribune* All-Star Charity Game, in which college stars played the Chicago Bears in front of over 75,000 people at Soldier Field. It is true that Ford is the only U.S. president never elected to office, but it is also true that he's the only president to make a national all-star team by fan vote.

ANDREW JACKSON WAS A HORSEMAN, Teddy Roosevelt a boxer, William Howard Taft a wrestler. The list of presidential athletes is long. But Ford stands out. Douglas Brinkley, the presidential historian, calls him "our great athlete president." Yet he's remembered as a klutz. "It's sad and ironic that, because of Chevy Chase, people see Ford as bumbling, falling down stairs, or bumping his head on Air Force One," Brinkley told me. But, if Chase's bit bothered Ford, he never let on.

FORD HAD TWO OFFERS, FROM THE Green Bay Packers and the Detroit Lions, to play professional football when he graduated from Michigan in 1935. Bush 41 was a nice fielder for Yale in the postwar 1940s, but was anybody looking to sign a skinny 23-year-old first baseman? Please. Ford could have gone *league*. "I wish I could've played one year for either the Lions or the Packers," Ford told me. He reminds you—maybe you didn't know—that, back in 1935, the United States was in the throes of a depression. Ford turned down his pro offers for Yale, where he earned a regular paycheck as an assistant varsity football coach and a freshman boxing coach and where he went to law school. "I had to make a tough decision," he said. "I think I made the right one, but I've wondered if one year of playing pro ball might have been a good thing—good for the resumé."

WILLIAM PROXMIRE, THE DEMOCRATIC senator from Wisconsin who invented the "Golden Fleece" awards, was a boxer and a football player at Yale, class of 1938. Ford coached him in both sports. Proxmire is 90 now, suffering from Alzheimer's. His wife, Ellen, told me that her husband and Ford never viewed each other as enemies, even though their parties stood for wholly different things. "Bill and Jerry were always fond of each other," she said. "They were on the Hill in a time when things were much less partisan, much less vicious. To people like Bill and Jerry, sports were a metaphor for politics. You needed viable competition in your life."

FORD TOLD ME THAT THE MAN WHO gave him his single greatest piece of advice was his Michigan coach, Harry Kipke: Work the job. That is, keep your focus on the one critical thing you must do. In college, that meant stopping a particular defensive lineman. As president, it meant pardoning Richard Nixon. "I wanted to get that mess off my desk," he said. "The only way to do it was to grant the pardon."

FORD, WHO SUPPORTED THE CIVIL Rights Act of 1964, said the roots of his racial tolerance came from the playing fields of his boyhood. His high school was integrated—it was 12 percent black, Ford said—and he played football with a black teammate named Silas "Siki" McGee. "Siki and I were very good friends," Ford said. "He was sort of a jokester." They walked home together after practice. You can see them standing together in Ford's high school yearbook. McGee went on to become a longshoreman in San Francisco, and, when Ford was president, he invited McGee and the rest of his high school team—winners of the state title in 1930—to visit him in the White House for a reunion. Speaking of his Grand Rapids South team, Ford, in his stolid way, said, "I learned that African Americans and whites can get along and work together. I saw the benefits of it."

HIS REUNIONS ARE ALL BUT OVER NOW. Siki McGee is dead. So, too, are Nixon, Spiro Agnew, and Ronald Reagan—and all of Ford's old coaches. His *New York Times* obituary has been ready for decades. When it runs, it will be all about the pardon and Israel-Egypt peace negotiations, and maybe the WIN (Whip Inflation Now) buttons and the oddness of being the only American president who was never elected. If he could write it himself, though, I bet he'd get into his sporting life pretty high up.

I STRUGGLED TO FIGURE OUT HOW TO word the question I had come to ask, and then finally, as he was tiring, I did: When you lie awake at night, Mr. President, waiting for sleep to come, which name is more likely to run through your mind: Siki McGee or Anwar Sadat? His answer was immediate. "Probably Sadat," he said. "I have wonderful memories of Siki, but that was a long time ago. Sadat was a great world leader." I had actually thought he might say Siki—he talked about him so easily and happily. Still, in a way no box score could ever capture, over 75,000 fans at Soldier Field helped get Sadat and Ford to the same table. **MICHAEL BAMBERGER**

Michael Bamberger is a senior writer at SPORTS ILLUSTRATED.

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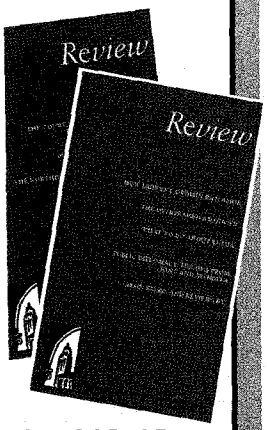

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How Eminent Domain Ran Amok

Kelo *and the debate over economic development takings*

In some conservative and libertarian circles, the prevailing assessment of the motives underlying economic development takings is that they are purely matters of greed and legislative influence peddling. But such takings are too widespread, popping up in too many different locales, for those motivations to be the sole cause (though greed or corruption may play a role in many). These explanations also fail to take into account the genuinely decent intent that many communities may start with on the road to self-improvement. No, . . . a better description of motive here is the American lust for land.

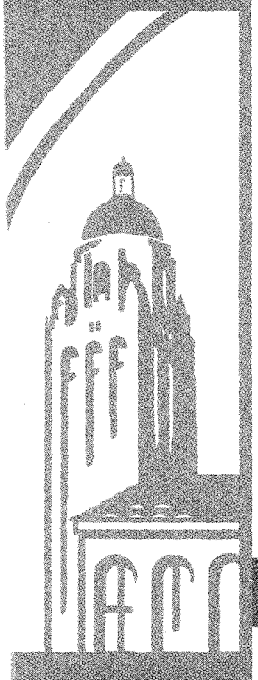
—Carla T. Main

What to Do about Russia

Engage the government and aid the democrats

The most effective strategy for Bush's new foreign policy team to help slow Russia's democratic deterioration is not isolation, containment, or confrontation but rather deeper engagement with both the Russian government and Russian society. The United States does not have enough leverage over Russia to influence internal change through coercive means. Only a strategy of linkage is available. However paradoxical, a more substantive agenda at the state-to-state level would create more permissive conditions for greater Western engagement with Russian society. A new American policy toward Russia must pursue both—a more ambitious bilateral relationship in conjunction with a more long-term strategy for strengthening Russian civil, political, and economic societies, which ultimately will be the critical forces that push Russia back onto a democratizing path.

—James M. Goldgeier & Michael McFaul



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"THE BULLETS THAT KILL WOMEN AND CHILDREN,

TERRORIZE THOSE SECURE IN THEIR SAFETY,

AND DESTROY INNOCENT COMMUNITIES,

DO NOT COME FROM RIFLES, BUT FROM DEVIANT

THOUGHTS AND MISGUIDED INTERPRETATIONS OF

OUR GREAT RELIGION AND ITS NOBLE MESSAGE."

– The Custodian of the Two Holy Mosques, King Abdullah bin Abdulaziz

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